

By: Manuel

H.B. No. 2095

A BILL TO BE ENTITLED

AN ACT

relating to the restrictions that may be included in a protective order on a person found to have committed family violence.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 84, Family Code, is amended by adding Section 84.007 to read as follows:

Sec. 84.007. NOTICE TO APPLICANT REGARDING RESTRICTIONS AVAILABLE UNDER PROTECTIVE ORDER. In a hearing on an application for a protective order, if the applicant has alleged that family violence has occurred, the court shall:

(1) inform the applicant of the restrictions that the court may impose in a protective order on a person found to have committed family violence, including by specifically discussing with the applicant the location restrictions described by Sections 85.022(b)(3) and (4); and

(2) specifically ask the applicant if the applicant wishes the court to include one or both of the location restrictions described by Sections 85.022(b)(3) and (4) in the court's order if the court finds that the respondent has committed family violence and that family violence is likely to occur in the future.

SECTION 2. Section 85.022, Family Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) In determining whether to include in a protective order the location restrictions described by Subsections (b)(3) and

1 (4), the court must consider any wishes expressed by the applicant
2 in response to the court's question to the applicant under Section
3 84.007(2) regarding the inclusion of those restrictions in the
4 court's order.

5 SECTION 3. Section 84.007, Family Code, as added by this
6 Act, applies to a hearing on an application for a protective order
7 held on or after the effective date of this Act regardless of the
8 date the application is filed.

9 SECTION 4. Section 85.022(b-1), Family Code, as added by
10 this Act, applies only to a protective order for which a hearing is
11 held on or after the effective date of this Act.

12 SECTION 5. This Act takes effect September 1, 2023.