

BILL ANALYSIS

Senate Research Center
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S.B. 685
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Criminal Justice
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DIGEST AND PURPOSE

Currently, the Texas Code of Criminal Procedure only allows peace officers to arrest a person they have probable cause to believe committed an assault resulting in bodily injury to “a member of the person’s family or household.” This definition excludes a dating relationship. As proposed, S.B. 685 amends Article 14.03, Code of Criminal Procedure, to refer to the definition of “family violence” provided in Section 71.004, Family Code, which will give law enforcement officers the authority to intervene in cases where they believe an assault resulting in bodily injury has occurred.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Articles 14.03 (a), (c), and (f), Code of Criminal Procedure, as follows:

- (a) Authorizes any peace officer to arrest without warrant persons who the peace officer has probable cause to believe have committed family violence.
- (c) Makes a conforming change.
- (f) Defines “family violence.”

SECTION 2. (a) Effective date: September 1, 2003.

- (b) Makes application of this Act prospective.