

By: Keel

H.B. No. 227

A BILL TO BE ENTITLED

AN ACT

relating to certain notice requirements in a court order providing for the possession of or access to a child.

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

SECTION 1. Section 105.006, Family Code, is amended by adding Subsection (e-1) to read as follows:

(e-1) An order in a suit that provides for the possession of or access to a child must contain the following prominently displayed statement in boldfaced type, capital letters, or underlined:

"NOTICE TO ANY PEACE OFFICER OF THE STATE OF TEXAS: YOU ARE ORDERED TO ENFORCE THE TERMS OF CHILD CUSTODY SPECIFIED IN THIS ORDER AND, IF NECESSARY, TO USE FORCE TO DO SO. A PEACE OFFICER'S RELIANCE ON THE TERMS OF A COURT ORDER IS ABSOLUTE INDEMNIFICATION OF THAT OFFICER AND OF THE OFFICER'S AGENCY AGAINST ANY CLAIM, CIVIL OR OTHERWISE, REGARDING THE OFFICER'S GOOD FAITH ACTS PERFORMED IN THE SCOPE OF THE OFFICER'S DUTIES IN ENFORCING THE TERMS OF THE ORDER THAT RELATE TO CHILD CUSTODY. ANY PERSON WHO KNOWINGLY PRESENTS FOR ENFORCEMENT AN ORDER THAT IS INVALID OR NO LONGER IN EFFECT COMMITS AN OFFENSE THAT MAY BE PUNISHABLE BY CONFINEMENT IN JAIL FOR AS LONG AS TWO YEARS AND A FINE OF AS MUCH AS \$10,000."

SECTION 2. (a) This Act takes effect September 1, 2003.

(b) The change in law made by this Act applies only to a court order providing for the possession of or access to a child

1 that is rendered on or after the effective date of this Act. A court
2 order providing for the possession of or access to a child that is
3 rendered before the effective date of this Act is governed by the
4 law in effect immediately before the effective date of this Act, and
5 the former law is continued in effect for that purpose.