

1-1 By: Keel (Senate Sponsor - Jackson) H.B. No. 227  
1-2 (In the Senate - Received from the House April 3, 2003;  
1-3 April 7, 2003, read first time and referred to Committee on  
1-4 Jurisprudence; May 5, 2003, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;  
1-6 May 5, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 227 By: Duncan

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to certain notice requirements in a court order providing  
1-11 for the possession of or access to a child.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 105.006, Family Code, is amended by  
1-14 adding Subsection (e-1) to read as follows:

1-15 (e-1) An order in a suit that provides for the possession of  
1-16 or access to a child must contain the following prominently  
1-17 displayed statement in boldfaced type, in capital letters, or  
1-18 underlined:

1-19 "NOTICE TO ANY PEACE OFFICER OF THE STATE OF TEXAS: YOU MAY  
1-20 USE REASONABLE EFFORTS TO ENFORCE THE TERMS OF CHILD CUSTODY  
1-21 SPECIFIED IN THIS ORDER. A PEACE OFFICER WHO RELIES ON THE TERMS OF  
1-22 A COURT ORDER AND THE OFFICER'S AGENCY ARE ENTITLED TO THE  
1-23 APPLICABLE IMMUNITY AGAINST ANY CLAIM, CIVIL OR OTHERWISE,  
1-24 REGARDING THE OFFICER'S GOOD FAITH ACTS PERFORMED IN THE SCOPE OF  
1-25 THE OFFICER'S DUTIES IN ENFORCING THE TERMS OF THE ORDER THAT RELATE  
1-26 TO CHILD CUSTODY. ANY PERSON WHO KNOWINGLY PRESENTS FOR  
1-27 ENFORCEMENT AN ORDER THAT IS INVALID OR NO LONGER IN EFFECT COMMITS  
1-28 AN OFFENSE THAT MAY BE PUNISHABLE BY CONFINEMENT IN JAIL FOR AS LONG  
1-29 AS TWO YEARS AND A FINE OF AS MUCH AS \$10,000."

1-30 SECTION 2. (a) This Act takes effect September 1, 2003.

1-31 (b) The change in law made by this Act applies only to a  
1-32 court order providing for the possession of or access to a child  
1-33 that is rendered on or after the effective date of this Act. A court  
1-34 order providing for the possession of or access to a child that is  
1-35 rendered before the effective date of this Act is governed by the  
1-36 law in effect immediately before the effective date of this Act, and  
1-37 the former law is continued in effect for that purpose.

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