

By: Dutton

H.B. No. 346

A BILL TO BE ENTITLED

AN ACT

relating to the period during which a person may be confined for contempt of court.

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

SECTION 1. Section 21.002, Government Code, is amended by amending Subsections (a) and (e) and adding Subsection (h) to read as follows:

(a) Except as provided by Subsection ~~[Subsections]~~ (g) ~~[and (h)]~~, a court may punish for contempt.

(e) Except as provided by Subsection (h), this ~~[This]~~ section does not affect a court's power to confine a contemner to compel the contemnor ~~[him]~~ to obey a court order.

(h) Notwithstanding any other law, a person may not be confined for contempt of court longer than:

(1) 18 months, if the confinement is for criminal contempt; or

(2) the lesser of 18 months or the period from the date of confinement to the date the person complies with the court order that was the basis of the finding of contempt, if the confinement is for civil contempt.

SECTION 2. Section 21.002, Government Code, as amended by this Act, applies only to a person found in contempt of court on or after the effective date of this Act, regardless of whether the conduct that is the basis of the contempt order occurred before, on,

1 or after that date.

2           SECTION 3. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2003.