

By: Dutton

H.B. No. 1177

A BILL TO BE ENTITLED

AN ACT

relating to an appeal of a protective order.

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

SECTION 1. Chapter 81, Family Code, is amended by adding Section 81.009 to read as follows:

Sec. 81.009. APPEAL. (a) A protective order rendered under this subtitle is a final, appealable order.

(b) An appeal of a protective order rendered under this subtitle, with or without a supersedeas bond, does not suspend the order. The court that rendered the protective order retains jurisdiction to enforce the order until the appellate court supersedes the order.

(c) On the motion of a party or on the court's own motion, the appellate court in its opinion may identify the parties by fictitious names or by the parties' initials only.

SECTION 2. This Act applies only to a protective order rendered on or after the effective date of this Act. A protective order rendered before the effective date of this Act is governed by the law in effect on the date the order was rendered, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2005.