

1-1 By: Nelson S.B. No. 55  
1-2 (In the Senate - Filed November 8, 2004; January 31, 2005,  
1-3 read first time and referred to Committee on Jurisprudence;  
1-4 April 7, 2005, reported favorably by the following vote: Yeas 6,  
1-5 Nays 0; April 7, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to protective orders when family violence occurs between  
1-9 minors.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (c), Section 82.002, Family Code, is  
1-12 amended to read as follows:

1-13 (c) Any adult may apply for a protective order to protect a  
1-14 child from family violence under Section 71.004(1), (2), or (3).  
1-15 With regard to family violence under Section 71.004(3) where both  
1-16 parties are children 14 years or older, a child may be subject to a  
1-17 protective order as a respondent, provided service of the child and  
1-18 the child's parent, legal guardian, or person having physical  
1-19 custody, care, and supervision of the child is effected by the  
1-20 procedure set out in Section 82.043(f).

1-21 SECTION 2. Section 82.043, Family Code, is amended by  
1-22 adding Subsection (f) to read as follows:

1-23 (f)(1) Service of notice of an application for a protective  
1-24 order in which a child 14 years or older is the respondent under  
1-25 Section 82.002(c) must be served on:

1-26 (A) the child named as respondent in the  
1-27 application; and

1-28 (B) the child's parent, legal guardian, or any  
1-29 person having physical custody, care, and supervision of the child.

1-30 (2) Service of the application must require the  
1-31 persons served to appear before the court at the time set to  
1-32 respond. The court shall require the person having physical  
1-33 custody or control of the child to bring the child to the hearing.

1-34 SECTION 3. This Act takes effect September 1, 2005.

1-35 \* \* \* \* \*