

BILL ANALYSIS

Senate Research Center
80R1531 MCK-D

H.B. 3593
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Jurisprudence
5/15/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, a court is authorized to order a person found guilty of family violence to attend a counseling program. The person is then required to file an affidavit with the court within 60 days of when the protective order is rendered, stating either that the person has begun the counseling program or that no such program is available within a reasonable distance from that person's residence. Persons filing an affidavit indicating commencement of a counseling program must subsequently file an affidavit to certify program completion due within 30 days of the expiration date of the protective order.

In 1999, legislation was enacted that extended the potential duration of a protective order from one year to two years, thus, also extending the time during which an offender could complete court-ordered counseling.

H.B. 3593 corrects the legislature's oversight by requiring an offender to file a completion affidavit with the court within 30 days of the expiration of the protective order or not later than the 30th day before the first anniversary of its issuance, whichever date is earlier.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 85.024(a), Family Code, to require a person found to have engaged in family violence who files an affidavit that the person has begun a program or counseling under Section 85.022(a)(1) or (2) to file with the court before the date the protective order expires a statement that the person completed the program or counseling not later than the 30th day before the expiration date of the protective order or the 30th day before the first anniversary of the date the protective order was issued, whichever date is earlier.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.