

## **BILL ANALYSIS**

H.B. 3593  
By: Raymond  
Juvenile Justice & Family Issues  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

A person who has committed family violence may be ordered by the court to attend a counseling program. That person must file an affidavit with the court within 60 days of the date the protective order was rendered stating either that the person has begun the counseling program or that no such program is available within a reasonable distance from the person's residence. A person who filed an affidavit indicating that the person began a counseling program must then file an affidavit not later than the 30th day before the expiration of the order certifying that the counseling was completed.

The 76th Legislature passed legislation extending the period for which a protective order could be provided from one to two years. When the Legislature extended this period, they also extended the time during which an offender could complete court ordered counseling. This bill would require that an offender 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 is shorter.

It does not appear that the 76th Legislature intended to provide offenders with more time in which to complete court-ordered counseling when it extended the effective period for protective orders. Therefore, H.B.3593 would bring current statute into line with legislative intent.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

Amends Section 85.024 (a) of the Family Code by providing that a person against whom a protective order has been issued and who begins a court-ordered counseling program must file an affidavit of completion of the counseling program within 30 days before the expiration of the protective order or within 30 days of the first anniversary of the date the protective order was issued, whichever date is earlier.

### **EFFECTIVE DATE**

September 1, 2007.