BILL ANALYSIS

Senate Research Center   S.B. 843
                                                                              By: Uresti et al.
                                                                              Criminal Justice
                                                                                      3/6/2009
                                                                                      As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, a person in a dating relationship with another individual or married to an individual with whom an actor was in a prior relationship, is not eligible to apply for a protective order if he or she is targeted for violence by that actor. Presently, protective orders stemming from "dating violence" and "family violence" do not include these third parties; only the individual who was in a prior relationship with the actor is protected under law.

As proposed, S.B. 843 redefines "dating violence" to include an act by an actor against an individual with whom the actor is or has been in a dating relationship or marriage, or against another individual who is in a dating relationship with an individual with whom the actor has been in such a relationship or marriage. S.B. 843 also redefines family violence to include an act by a member of a family or household against an individual with whom another member of the family or household is or has been in a dating relationship.

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 71.0021, Family Code, by amending Subsection (a) and adding Subsection (d), as follows:

> (a) Redefines "dating violence" to include an act by an actor against another individual who is in a dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage. Makes nonsubstantive and conforming changes.

> (d) Defines "marriage."

SECTION 2. Amends Section 71.004, Family Code, to redefine "family violence" to include an act by a member of a family or household against an individual with whom another member of the family or household is or has been in a dating relationship. Makes a conforming change.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: upon passage or September 1, 2009.