

By: Castro, Martinez Fischer, Lucio III,
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H.B. No. 2202

A BILL TO BE ENTITLED

AN ACT

relating to protective orders against family violence.

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

SECTION 1. Section 71.0021(a), Family Code, is amended to read as follows:

(a) "Dating violence" means an act by an individual that is against another individual with whom that person has or has had a dating relationship, or by an individual against another individual who is in a dating relationship with a third individual with whom the actor is or has been in a dating relationship or marriage, and that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the individual in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself.

SECTION 2. Chapter 81, Family Code, is amended by adding Section 81.010 to read as follows:

Sec. 81.010. COURT ENFORCEMENT. (a) A court of this state with the jurisdiction of proceedings arising under this title may enforce a protective order rendered by another court in the same manner that the court that rendered the order could enforce the order, regardless of whether the order is transferred under Subchapter D, Chapter 85.

(b) A court's authority under this section includes the

1 authority to enforce a protective order through contempt.

2 SECTION 3. Section 82.002(b), Family Code, is amended to
3 read as follows:

4 (b) With regard to family violence under Section 71.004(3),
5 an application for a protective order to protect the applicant may
6 be filed by a [~~an adult~~] member of the dating relationship,
7 regardless of whether the member is an adult or a child.

8 SECTION 4. Sections 85.065(a) and (b), Family Code, are
9 repealed.

10 SECTION 5. The changes in law made by this Act to Sections
11 71.0021 and 82.002, Family Code, apply only to an application for a
12 protective order that is filed on or after the effective date of
13 this Act. An application for a protective order filed before the
14 effective date of this Act is governed by the law in effect on the
15 date the application is filed, and the former law is continued in
16 effect for that purpose.

17 SECTION 6. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2009.