

By: Nelson

S.B. No. 285

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the punishment for violating certain orders requiring
3 the removal of the alleged perpetrator from the home of an abused
4 child.

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

6 SECTION 1. Section 262.1015(h), Family Code, is amended to
7 read as follows:

8 (h) A person commits an offense if, in violation of a court
9 order under this section, the person returns to the residence of the
10 child the person is alleged to have abused. An offense under this
11 subsection is a ~~[Class A misdemeanor, except that the offense is a]~~
12 ~~felony of the third degree [if the person has previously been~~
13 ~~convicted under this subsection].~~

14 SECTION 2. The change in law made by this Act to Section
15 262.1015(h), Family Code, applies only to an offense committed on
16 or after the effective date of this Act. An offense committed
17 before the effective date of this Act is covered by the law in
18 effect when the offense was committed, and the former law is
19 continued in effect for that purpose. For purposes of this section,
20 an offense was committed before the effective date of this Act if
21 any element of the offense occurred before that date.

22 SECTION 3. This Act takes effect September 1, 2009.