

BILL ANALYSIS

H.B. 905
By: Thompson
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, the Family Code allows for the hearsay statement on alleged abuse by a child 12 years of age or younger to be admissible as evidence in a suit affecting a parent-child relationship. H.B. 905 proposes that a hearsay statement by a child 12 years of age or younger should also be admissible in obtaining a protective order for alleged family violence. This bill helps children and families obtain protective orders relating to family violence.

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

H.B. 905 amends the Family Code to provide that a statement made by a child 12 years of age or younger that describes alleged family violence against the child is admissible as evidence in a hearing on an application for a protective order in the same manner that a child's statement regarding alleged abuse against the child is admissible under provisions of law relating to a hearsay statement of a child abuse victim in a suit affecting the parent-child relationship.

EFFECTIVE DATE

September 1, 2011.