

1-1 By: Thompson, Gonzalez (Senate Sponsor - Harris) H.B. No. 905  
1-2 (In the Senate - Received from the House March 31, 2011;  
1-3 April 13, 2011, read first time and referred to Committee on  
1-4 Jurisprudence; April 27, 2011, reported favorably by the following  
1-5 vote: Yeas 5, Nays 0; April 27, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the admissibility of certain hearsay statements of a  
1-9 child in hearings on an application for a protective order.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Chapter 84, Family Code, is amended by adding  
1-12 Section 84.006 to read as follows:

1-13 Sec. 84.006. HEARSAY STATEMENT OF CHILD VICTIM OF FAMILY  
1-14 VIOLENCE. In a hearing on an application for a protective order, a  
1-15 statement made by a child 12 years of age or younger that describes  
1-16 alleged family violence against the child is admissible as evidence  
1-17 in the same manner that a child's statement regarding alleged abuse  
1-18 against the child is admissible under Section 104.006 in a suit  
1-19 affecting the parent-child relationship.

1-20 SECTION 2. The changes in law made by this Act apply only to  
1-21 a hearing on an application for a protective order that is commenced  
1-22 on or after the effective date of this Act. A hearing on an  
1-23 application for a protective order that is commenced before the  
1-24 effective date of this Act is governed by the law in effect on the  
1-25 date the hearing was commenced, and that law is continued in effect  
1-26 for that purpose.

1-27 SECTION 3. This Act takes effect September 1, 2011.

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