

By: Hochberg, Parker, Gallego

H.B. No. 2662

A BILL TO BE ENTITLED

1 AN ACT

2 relating to child abduction.

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

4 SECTION 1. Article 63.001(3), Code of Criminal Procedure,
5 is amended to read as follows:

6 (3) "Missing child" means a child whose whereabouts
7 are unknown to the child's legal custodian, the circumstances of
8 whose absence indicate that:

9 (A) the child did not voluntarily leave the care
10 and control of the custodian, and the taking of the child was not
11 authorized by law;

12 (B) the child voluntarily left the care and
13 control of his legal custodian without the custodian's consent and
14 without intent to return; ~~or~~

15 (C) the child was taken or retained in violation
16 of the terms of a court order for possession of or access to the
17 child; or

18 (D) the child is taken or retained, depriving a
19 legal custodian of his custodial rights without the permission of
20 that custodian, unless the taking or retention of the child was
21 prompted by the commission or attempted commission of family
22 violence, as defined by Section 71.004, Family Code, against the
23 child or the actor.

24 SECTION 2. This Act takes effect September 1, 2011.