

By: Hochberg, Parker

H.B. No. 2662

A BILL TO BE ENTITLED

AN ACT

1
2 Relating to child abduction.

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

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

6 Art. 63.001. DEFINITIONS. In this chapter:

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

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

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

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

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

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