

By: Hochberg

H.B. No. 2662

A BILL TO BE ENTITLED

AN ACT

Relating to child abduction.

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

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

Art. 63.001. DEFINITIONS. In this chapter:

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

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

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

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

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

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