

1-1 By: Hinojosa S.B. No. 357
 1-2 (In the Senate - Filed February 4, 2013; February 11, 2013,
 1-3 read first time and referred to Committee on Criminal Justice;
 1-4 April 11, 2013, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 5, Nays 0; April 11, 2013,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13			X	
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 357 By: Rodriguez

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the issuance of protective orders for certain sexual,
 1-20 stalking, and trafficking offenses.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subsection (b), Article 7A.01, Code of Criminal
 1-23 Procedure, is amended to read as follows:

1-24 (b) An application for a protective order under this chapter
 1-25 may be filed in:

1-26 (1) a district court, juvenile court having the
 1-27 jurisdiction of a district court, statutory county court, or
 1-28 constitutional county court in:

1-29 (A) [~~(1)~~] the county in which the applicant
 1-30 resides;

1-31 (B) [~~or (2)~~] the county in which the alleged
 1-32 offender resides; or

1-33 (C) any county in which an element of the alleged
 1-34 offense occurred; or

1-35 (2) any court with jurisdiction over a protective
 1-36 order previously issued under Title 4, Family Code, with respect to
 1-37 the same parties named in the application.

1-38 SECTION 2. Article 7A.03, Code of Criminal Procedure, as
 1-39 amended by Chapters 135 (S.B. 250) and 238 (H.B. 649), Acts of the
 1-40 82nd Legislature, Regular Session, 2011, is reenacted and amended
 1-41 to read as follows:

1-42 Art. 7A.03. REQUIRED FINDINGS; ISSUANCE OF PROTECTIVE
 1-43 ORDER. (a) At the close of a hearing on an application for a
 1-44 protective order under this chapter, the court shall find whether
 1-45 there are reasonable grounds to believe that the applicant is the
 1-46 victim of sexual assault or abuse, [~~or~~] stalking, or trafficking.

1-47 (b) If the court makes a finding described by Subsection (a)
 1-48 [~~(a)(1) or (2)~~], the court shall issue a protective order that
 1-49 includes a statement of the required findings.

1-50 SECTION 3. The change in law made by this Act in amending
 1-51 Article 7A.03, Code of Criminal Procedure, applies only to a
 1-52 protective order issued on or after the effective date of this Act.
 1-53 A protective order issued before the effective date of this Act is
 1-54 governed by the law in effect on the date the order is issued, and
 1-55 the former law is continued in effect for that purpose.

1-56 SECTION 4. This Act takes effect September 1, 2013.

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