By: Taylor of Collin

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S.B. No. 112

## A BILL TO BE ENTITLED

1	AN ACT
2	relating to the authority of a magistrate to prohibit certain
3	communications in an order for emergency protection.
4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
5	SECTION 1. Article 17.292(c), Code of Criminal Procedure,
6	is amended to read as follows:
7	(c) The magistrate in the order for emergency protection may
8	prohibit the arrested party from:
9	(1) committing:
10	(A) family violence or an assault on the persor
11	protected under the order; or
12	(B) an act in furtherance of an offense under
13	Section 42.072, Penal Code;
14	(2) communicating:
15	(A) directly with a member of the family or
16	household or with the person protected under the order in a
17	threatening or harassing manner; [ <del>or</del> ]
18	(B) a threat through any person to a member of the
19	family or household or to the person protected under the order; or
20	(C) if the magistrate finds good cause, in any
21	manner with a person protected under the order or a member of the
22	family or household of a person protected under the order, except

through the party's attorney or a person appointed by the court;

(3) going to or near:

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- 1 (A) the residence, place of employment, or
- 2 business of a member of the family or household or of the person
- 3 protected under the order; or
- 4 (B) the residence, child care facility, or school
- 5 where a child protected under the order resides or attends; or
- 6 (4) possessing a firearm, unless the person is a peace
- 7 officer, as defined by Section 1.07, Penal Code, actively engaged
- 8 in employment as a sworn, full-time paid employee of a state agency
- 9 or political subdivision.
- 10 SECTION 2. This Act takes effect immediately if it receives
- 11 a vote of two-thirds of all the members elected to each house, as
- 12 provided by Section 39, Article III, Texas Constitution. If this
- 13 Act does not receive the vote necessary for immediate effect, this
- 14 Act takes effect September 1, 2015.