

By: Rodríguez

S.B. No. 817

A BILL TO BE ENTITLED

AN ACT

relating to the definitions of dating violence and family violence for purposes of the issuance of a protective order.

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

SECTION 1. Section 71.0021(a), Family Code, is amended to read as follows:

(a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:

(1) is committed against an applicant for a protective order ~~[a victim]~~:

(A) with whom the actor has or has had a dating relationship; or

(B) because of the applicant's ~~[victim's]~~ marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and

(2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the applicant ~~[victim]~~ in fear of imminent physical harm, bodily injury, assault, or sexual assault.

SECTION 2. Section 71.004, Family Code, is amended to read as follows:

Sec. 71.004. FAMILY VIOLENCE. "Family violence" means:

(1) an act by a member of a family or household against another member of the family or household that is intended to result

1 in physical harm, bodily injury, assault, or sexual assault or that  
2 is a threat that reasonably places the member in fear of imminent  
3 physical harm, bodily injury, assault, or sexual assault, but does  
4 not include defensive measures to protect oneself;

5 (2) abuse, as that term is defined by Sections  
6 261.001(A), (B), (C) [~~261.001(1)(C)~~], (E), [~~and~~] (G), (H), (I),  
7 (J), and (K), by a member of a family or household toward a child of  
8 the family or household; or

9 (3) dating violence, as that term is defined by  
10 Section 71.0021.

11 SECTION 3. The changes in law made by this Act apply only to  
12 a request for a protective order that is filed on or after the  
13 effective date of this Act. A request for a protective order filed  
14 before the effective date of this Act is governed by the law in  
15 effect on the date the request is filed, and the former law is  
16 continued in effect for that purpose.

17 SECTION 4. This Act takes effect September 1, 2015.