86R12763 JSC-D

By:  Dutton H.B. No. 2344

A BILL TO BE ENTITLED

AN ACT

relating to evidence sufficient for the issuance of a stalking protective order.

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

SECTION 1.  Article 7A.03, Code of Criminal Procedure, is amended by adding Subsection (c) to read as follows:

(c)  A court may not find that there are reasonable grounds to believe that the applicant is the victim of stalking solely based on the content of an electronic communication unless the communication threatens harm to the applicant, a member of the applicant's family or household, the applicant's pet or property, or another person. For purposes of this subsection, "electronic communication" has the meaning assigned by Section 42.07, Penal Code.

SECTION 2.  The change in law made by this Act applies only to an application for a protective order submitted on or after the effective date of this Act. An application submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2019.