

By: Dutton

H.B. No. 2344

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to evidence sufficient for the issuance of a stalking  
3 protective order.

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

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

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

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

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