87R7733 MEW-F

By:  Huffman S.B. No. 1015

A BILL TO BE ENTITLED

AN ACT

relating to the removal of a vacated protective order from the protective order registry maintained by the Office of Court Administration of the Texas Judicial System.

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

SECTION 1.  Section 72.154(b), Government Code, is amended to read as follows:

(b)  Publicly accessible information regarding each protective order must consist of the following:

(1)  the court that issued the protective order;

(2)  the case number;

(3)  the full name, county of residence, birth year, and race or ethnicity of the person who is the subject of the protective order;

(4)  the dates the protective order was issued and served; and

(5)  [~~the date the protective order was vacated, if applicable; and~~

[~~(6)~~]  the date the protective order expired or will expire, as applicable.

SECTION 2.  Section 72.155(a), Government Code, is amended to read as follows:

(a)  The registry must include a copy of each application for a protective order filed in this state and a copy of each protective order issued in this state, including an [~~a vacated or~~] expired order. Only an authorized user, the attorney general, a district attorney, a criminal district attorney, a county attorney, a municipal attorney, or a peace officer may access that information under the registry.

SECTION 3.  Section 72.157, Government Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b)  For a protective order [~~that is vacated or~~] that has expired, the clerk of the applicable court shall modify the record of the order in the registry to reflect the order's status as [~~vacated or~~] expired.

(b-1)  For a protective order that is vacated, the clerk of the applicable court shall remove the record of the order from the registry.

SECTION 4.  As soon as practicable after the effective date of this Act, the Office of Court Administration of the Texas Judicial System shall remove the record of any protective orders that have been vacated from the protective order registry established under Subchapter F, Chapter 72, Government Code, as amended by this Act.

SECTION 5.  This Act takes effect September 1, 2021.