By: Cook   H.B. No. 850

A BILL TO BE ENTITLED

1   AN ACT

2 relating to the issuance of a protective order by default.

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

4   SECTION 1. Section 85.006(a), Family Code, is amended to

5 read as follows:

6   (a) Notwithstanding Rule 107, Texas Rules of Civil

7 Procedure, a [A] court may render a protective order that is binding

8 on a respondent who does not attend a hearing if:

9   (1) the respondent received service of the application

10 and notice of the hearing; and

11   (2) proof of service was filed with the court before

12 the time set for the hearing.

13   SECTION 2. Section 85.006(a), Family Code, as amended by

14 this Act, applies only to an application for a protective order that

15 is filed on or after the effective date of this Act. An application

16 for a protective order filed before the effective date of this Act

17 is governed by the law in effect on the date the application is

18 filed, and the former law is continued in effect for that purpose.

19   SECTION 3. This Act takes effect September 1, 2021.