

BILL ANALYSIS

Senate Research Center
88R19224 AMF-D

H.B. 660
By: Cook (Zaffirini)
Jurisprudence
5/16/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the interim, the House Committee on Juvenile Justice and Family Issues heard testimony regarding the need to update Family Code provisions to help protect subjects of protective orders. H.B. 660 would establish requirements for a law enforcement agency regarding entering protective order information into the agency's computer records and into the statewide law enforcement information system. What's more, the bill provides for the enforcement of temporary ex parte orders and for the notification to applicable recipients of a change of address or telephone number of a person protected by a protective order.

H.B. 660 amends current law relating to the enforcement and administration of certain protective orders.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 83, Family Code, by adding Section 83.0025, as follows:

Sec. 83.0025. ENFORCEMENT OF TEMPORARY EX PARTE ORDER. Provides that a temporary ex parte order rendered under Chapter 83 (Temporary Ex Parte Orders) is enforceable to the same extent and in the same manner as a final protective order rendered under Chapter 85 (Issuance of Protective Order).

SECTION 2. Amends Section 86.001(b), Family Code, to require, rather than authorize, a law enforcement agency to enter a protective order in the agency's computer records of outstanding warrants as notice that the order has been issued and is currently in effect.

SECTION 3. Amends Section 86.0011(a), Family Code, as follows:

(a) Requires a law enforcement agency, on receipt of an original or modified protective order from the clerk of the issuing court, or on receipt of information pertaining to the date of confinement or imprisonment or date of release of a person subject to the protective order, immediately, but not later than the next business day, rather than the third business day, after the date the order or information is received, to enter certain information into the statewide law enforcement information system maintained by the Department of Public Safety of the State of Texas.

SECTION 4. Amends Section 87.004(b), Family Code, as follows:

(b) Requires the clerk of the court to attach the notification of change to the protective order and to deliver a copy of the notification to certain persons, including any other person entitled to a copy of the order under Section 85.042 (Delivery of Order to Other Persons). Makes nonsubstantive changes.

SECTION 5. (a) Provides that Section 83.0025, Family Code, as added by this Act, applies to a temporary ex parte protective order rendered under Chapter 83, Family Code, regardless of whether the order was rendered before, on, or after the effective date of this Act.

(b) Makes application of Sections 86.001(b) and 86.0011(a), Family Code, as amended by this Act, prospective.

(c) Makes application of Section 87.004(b), Family Code, as amended by this Act, prospective.

SECTION 6. Effective date: September 1, 2023.