

BILL ANALYSIS

H.B. 2243
By: Campos
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Elder abuse from family violence is a silent problem that robs seniors of their dignity, security, and well-being. Texas seniors need protection from the physical and verbal abuse that many face in their home, which could result in passive neglect, wilful deprivation, financial exploitation, and circumstances that could put their lives in danger. A number of factors, such as fear or needing assistance navigating the court system, contribute to delays in seniors seeking a protective order. H.B. 2243 seeks to address these issues by requiring the Department of Family and Protective Services to provide an elderly person, on the person's request, assistance in obtaining a temporary ex parte order to exclude an abusive individual from the elderly person's residence.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of the Department of Family and Protective Services in SECTION 1 of this bill.

ANALYSIS

H.B. 2243 amends the Human Resources Code to require the Department of Family and Protective Services (DFPS) to provide to an elderly person who is 65 years of age or older at the person's request assistance in obtaining a temporary ex parte protective order to exclude from the person's residence an individual who has committed an act of physical or verbal abuse against the person that is alleged to constitute family violence. The bill requires the commissioner of DFPS to adopt rules as necessary to implement the bill.

EFFECTIVE DATE

September 1, 2023.