BILL ANALYSIS

BACKGROUND AND PURPOSE

Constituents have raised concerns over the lack of accessibility and effectiveness of the protective order registry, noting that many individuals subject to a protective order go by different names and aliases. Since the protective order registry is not required to include aliases, nicknames, or misspellings, attempting to find an individual's protective order information is often difficult. Additionally, magistrates are not afforded the same level of access to restricted information in the registry as district attorneys, peace officers, and other public officials. H.B. 3698 seeks to address these concerns by requiring the protective order registry to be searchable by common name misspellings and known aliases and by providing for magistrates to have access to certain restricted registry information.

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

ANALYSIS

H.B. 3698 amends the Government Code to include among the searchable information accessible to the public in the protective order registry maintained by the Office of Court Administration of the Texas Judicial System any known common misspellings of the name and any known aliases of a person who is the subject of the protective order. The bill includes a magistrate among the authorized users with access to copies of applications for protective orders and copies of protective orders in the registry.

EFFECTIVE DATE

September 1, 2023.