

BILL ANALYSIS

H.B. 1194
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that an order for emergency protection issued for 31 days does not provide enough time for a crime victim to adequately reorganize their life, safely seek shelter, or obtain legal representation. H.B. 1194 seeks to address this issue by increasing the minimum duration of an order for emergency protection.

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. 1194 amends the Code of Criminal Procedure to change the effective period of an order for emergency protection for an offense involving family violence, family violence and serious bodily injury to the victim, trafficking or continuous trafficking of persons, sexual or aggravated sexual assault, indecent assault, or stalking as follows:

- for an order authorized by a magistrate on an applicable motion or request, from up to the 61st day after the date of issuance but not less than 31 days after that date to up to the 91st day after the date of issuance but not less than 61 days after that date; and
- for an order required by a magistrate for an offense involving family violence and the use or exhibition of a deadly weapon during the commission of an assault, from up to the 91st day after the date of issuance but not less than 61 days after that date to up to the 121st day after the date of issuance but not less than 91 days after that date.

H.B. 1194 applies only to an order for emergency protection issued on or after the bill's effective date. An order issued before that date is governed by the law in effect on the date the order was issued, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2025.