

SUBJECT: Non-substantive recodification of Family Code family violence laws

COMMITTEE: Juvenile Justice and Family Issues — favorable, without amendment

VOTE: 7 ayes — Goodman, Staples, Jones, McReynolds, Naishtat, Smith, Williams
0 nays
2 absent — McClendon, Reyna

WITNESSES: For — John J. Sampson
Against — None

BACKGROUND : In response to recommendations by the Joint Interim Committee on the Family Code, the 74th Legislature began the process of reorganizing the Family Code. HB 655 and HB 327, both by Goodman, made substantial changes to Titles 2 and 3 of the code and created a new Title 5. A new section numbering system was instituted in those titles. Titles 1 and 4 of the Family Code were not recodified during the 74th legislative session.

DIGEST: HB 1441 would recodify Texas Family Code Title 4, *Protective Orders and Family Violence*. The recodification would be non-substantive, limited to reorganizing and renumbering the current text, and not change the meaning or intent of the present law.

HB 1441 would take immediate effect if finally approved by a two-thirds record vote of the membership in each house. Proceedings under the Family Code that were pending on the effective date would be governed by the law in effect at the time the proceeding was commenced, and the former law would be continued in effect for that purpose.

NOTES: The Senate passed the companion bill, SB 797 by Harris, by 31-0 on the Local and Uncontested Calendar on April 3. The Juvenile Justice and Family Issues Committee reported SB 797 favorably, as amended, on April 9, making it eligible to be considered in lieu of HB 1441.

SB 334 by Harris, which provides for the non-substantive recodification of Family Code Title 1, *Husband and Wife*, has passed both houses and is awaiting action by the governor.