

BILL ANALYSIS

Senate Research Center
76R5361 KLA-D

S.B. 804
By: Ellis
Criminal Justice
4/13/1999
As Filed

DIGEST

Currently, the Family Code and the Code of Criminal Procedure contain provisions for issuing protective orders to protect victims of family violence from further future violence. The Penal Code establishes penalties for violations of the protective orders. Texas does not have a standard format for protective orders, which can lead to problems in enforcing an order. This bill would require the Texas Department of Public Safety to collaborate with the Texas Council on Family Violence and the Texas District and County Attorneys Association to develop a standard format for protective orders issued under Title 4, Family Code.

PURPOSE

As proposed, S.B. 804 requires the Texas Department of Public Safety to develop a standard format for protective orders issued under Title 4, Family Code.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Requires the Texas Department of Public Safety (DPS) to collaborate with the Texas Council on Family Violence and the Texas District and County Attorneys Association to develop a standard format for protective orders. Requires DPS to consider the format of protective orders of other states. Requires the protective order to be concise and easily understandable.

SECTION 2. Requires the director of DPS to make a recommendation to the legislature regarding the format of the protective order, by December 1, 2000.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.