

BILL ANALYSIS

Senate Research Center
80R1085 BDH-D

H.B. 95
By: Martinez, "Mando" (Hinojosa)
Jurisprudence
5/4/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, a person commits an offense whenever the person violates the terms of a judgment or order relating to child custody issues. Some law enforcement officials do not enforce or arrest individuals who violate temporary child custody orders.

H.B. 95 provides an offense for violation of a temporary child custody order.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 25.03(a), Penal Code, to provide that a person commits an offense if the person takes or retains a child younger than 18 years of age under certain conditions, including when the person knows that the taking or retention violates the express terms of a judgment or order, including a temporary order, of a court disposing of the child's custody.

SECTION 2. Amends Section 25.031(a), Penal Code, to make conforming changes.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2007.