

By: Blanco

H.B. No. 2645

A BILL TO BE ENTITLED

AN ACT

relating to the violation of certain court orders or conditions of bond in a family violence, sexual assault or abuse, or stalking case; creating an offense.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 25.07(a), Penal Code, is amended to read as follows:

(a) A person commits an offense if, in violation of a condition of bond set in a family violence, sexual assault or abuse, or stalking case and related to the safety of a victim or the safety of the community, an order issued under Article 17.292, Code of Criminal Procedure, an order issued under Section 6.504, Family Code, Chapter 83, Family Code, if the temporary ex parte order has been served on the person, or Chapter 85, Family Code, or an order issued by another jurisdiction as provided by Chapter 88, Family Code, the person knowingly or intentionally:

(1) commits family violence or an act in furtherance of an offense under Section 22.011, 22.021, or 42.072;

(2) communicates:

(A) directly with a protected individual or a member of the family or household in a threatening or harassing manner;

(B) a threat through any person to a protected individual or a member of the family or household; or

1 (C) in any manner with the protected individual  
2 or a member of the family or household except through the person's  
3 attorney or a person appointed by the court, if the violation is of  
4 an order described by this subsection and the order prohibits any  
5 communication with a protected individual or a member of the family  
6 or household;

7 (3) goes to or near any of the following places as  
8 specifically described in the order or condition of bond:

9 (A) the residence or place of employment or  
10 business of a protected individual or a member of the family or  
11 household; or

12 (B) any child care facility, residence, or school  
13 where a child protected by the order or condition of bond normally  
14 resides or attends;

15 (4) possesses a firearm; ~~or~~

16 (5) harms, threatens, or interferes with the care,  
17 custody, or control of a pet, companion animal, or assistance  
18 animal that is possessed by a person protected by the order; or

19 (6) removes or attempts to remove a global positioning  
20 monitoring system.

21 SECTION 2. Section 25.07(b), Penal Code, is amended by  
22 adding Subdivision (2-a) to read as follows:

23 (2-a) "Global positioning monitoring system" has the  
24 meaning assigned by Article 17.49, Code of Criminal Procedure.

25 SECTION 3. The change in law made by this Act applies only  
26 to an offense committed on or after the effective date of this Act.  
27 An offense committed before the effective date of this Act is

1 governed by the law in effect on the date the offense was committed,  
2 and the former law is continued in effect for that purpose. For  
3 purposes of this section, an offense was committed before the  
4 effective date of this Act if any element of the offense occurred  
5 before that date.

6 SECTION 4. This Act takes effect September 1, 2015.