

1-1 By: Taylor of Collin S.B. No. 112
1-2 (In the Senate - Filed November 10, 2014; January 27, 2015,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 April 7, 2015, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 7, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Whitmire	X		
1-9	Huffman	X		
1-10	Burton	X		
1-11	Creighton	X		
1-12	Hinojosa	X		
1-13	Menéndez	X		
1-14	Perry	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the authority of a magistrate to prohibit certain
1-18 communications in an order for emergency protection.
1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-20 SECTION 1. Article 17.292(c), Code of Criminal Procedure,
1-21 is amended to read as follows:
1-22 (c) The magistrate in the order for emergency protection may
1-23 prohibit the arrested party from:
1-24 (1) committing:
1-25 (A) family violence or an assault on the person
1-26 protected under the order; or
1-27 (B) an act in furtherance of an offense under
1-28 Section 42.072, Penal Code;
1-29 (2) communicating:
1-30 (A) directly with a member of the family or
1-31 household or with the person protected under the order in a
1-32 threatening or harassing manner; ~~or~~
1-33 (B) a threat through any person to a member of the
1-34 family or household or to the person protected under the order; or
1-35 (C) if the magistrate finds good cause, in any
1-36 manner with a person protected under the order or a member of the
1-37 family or household of a person protected under the order, except
1-38 through the party's attorney or a person appointed by the court;
1-39 (3) going to or near:
1-40 (A) the residence, place of employment, or
1-41 business of a member of the family or household or of the person
1-42 protected under the order; or
1-43 (B) the residence, child care facility, or school
1-44 where a child protected under the order resides or attends; or
1-45 (4) possessing a firearm, unless the person is a peace
1-46 officer, as defined by Section 1.07, Penal Code, actively engaged
1-47 in employment as a sworn, full-time paid employee of a state agency
1-48 or political subdivision.
1-49 SECTION 2. This Act takes effect immediately if it receives
1-50 a vote of two-thirds of all the members elected to each house, as
1-51 provided by Section 39, Article III, Texas Constitution. If this
1-52 Act does not receive the vote necessary for immediate effect, this
1-53 Act takes effect September 1, 2015.

1-54 * * * * *