

1-1 By: Rodríguez S.B. No. 815  
1-2 (In the Senate - Filed February 26, 2015; March 3, 2015,  
1-3 read first time and referred to Committee on State Affairs;  
1-4 March 18, 2015, reported favorably by the following vote: Yeas 9,  
1-5 Nays 0; March 18, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Huffman	X		
1-9	Ellis	X		
1-10	Birdwell	X		
1-11	Creighton	X		
1-12	Estes	X		
1-13	Fraser	X		
1-14	Nelson	X		
1-15	Schwertner	X		
1-16	Zaffirini	X		

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to a temporary restraining order for preservation of  
1-20 property and protection of the parties in a suit for the dissolution  
1-21 of marriage.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 6.501(a), Family Code, is amended to  
1-24 read as follows:

1-25 (a) After the filing of a suit for dissolution of a  
1-26 marriage, on the motion of a party or on the court's own motion, the  
1-27 court may grant a temporary restraining order without notice to the  
1-28 adverse party for the preservation of the property and for the  
1-29 protection of the parties as necessary, including an order  
1-30 prohibiting one or both parties from:

1-31 (1) intentionally communicating in person or in any  
1-32 other manner, including by telephone or another electronic voice  
1-33 transmission, video chat, ~~or~~ in writing, or electronic messaging,  
1-34 with the other party by use of vulgar, profane, obscene, or indecent  
1-35 language or in a coarse or offensive manner, with intent to annoy or  
1-36 alarm the other party;

1-37 (2) threatening the other party in person or in any  
1-38 other manner, including by telephone or another electronic voice  
1-39 transmission, video chat, ~~or~~ in writing, or electronic messaging,  
1-40 to take unlawful action against any person, intending by this  
1-41 action to annoy or alarm the other party;

1-42 (3) placing a telephone call, anonymously, at an  
1-43 unreasonable hour, in an offensive and repetitious manner, or  
1-44 without a legitimate purpose of communication with the intent to  
1-45 annoy or alarm the other party;

1-46 (4) intentionally, knowingly, or recklessly causing  
1-47 bodily injury to the other party or to a child of either party;

1-48 (5) threatening the other party or a child of either  
1-49 party with imminent bodily injury;

1-50 (6) intentionally, knowingly, or recklessly  
1-51 destroying, removing, concealing, encumbering, transferring, or  
1-52 otherwise harming or reducing the value of the property of the  
1-53 parties or either party with intent to obstruct the authority of the  
1-54 court to order a division of the estate of the parties in a manner  
1-55 that the court deems just and right, having due regard for the  
1-56 rights of each party and any children of the marriage;

1-57 (7) intentionally falsifying a writing or record,  
1-58 including an electronic record, relating to the property of either  
1-59 party;

1-60 (8) intentionally misrepresenting or refusing to  
1-61 disclose to the other party or to the court, on proper request, the

2-1 existence, amount, or location of any tangible or intellectual  
2-2 property of the parties or either party, including electronically  
2-3 stored or recorded information;  
2-4 (9) intentionally or knowingly damaging or destroying  
2-5 the tangible or intellectual property of the parties or either  
2-6 party, including electronically stored or recorded information;  
2-7 [~~or~~]  
2-8 (10) intentionally or knowingly tampering with the  
2-9 tangible or intellectual property of the parties or either party,  
2-10 including electronically stored or recorded information, and  
2-11 causing pecuniary loss or substantial inconvenience to the other  
2-12 party;  
2-13 (11) except as specifically authorized by the court:  
2-14 (A) selling, transferring, assigning,  
2-15 mortgaging, encumbering, or in any other manner alienating any of  
2-16 the property of the parties or either party, regardless of whether  
2-17 the property is:  
2-18 (i) personal property, real property, or  
2-19 intellectual property; or  
2-20 (ii) separate or community property;  
2-21 (B) incurring any debt, other than legal expenses  
2-22 in connection with the suit for dissolution of marriage;  
2-23 (C) withdrawing money from any checking or  
2-24 savings account in a financial institution for any purpose;  
2-25 (D) spending any money in either party's  
2-26 possession or subject to either party's control for any purpose;  
2-27 (E) withdrawing or borrowing money in any manner  
2-28 for any purpose from a retirement, profit sharing, pension, death,  
2-29 or other employee benefit plan, employee savings plan, individual  
2-30 retirement account, or Keogh account of either party; or  
2-31 (F) withdrawing or borrowing in any manner all or  
2-32 any part of the cash surrender value of a life insurance policy on  
2-33 the life of either party or a child of the parties;  
2-34 (12) entering any safe deposit box in the name of or  
2-35 subject to the control of the parties or either party, whether  
2-36 individually or jointly with others;  
2-37 (13) changing or in any manner altering the  
2-38 beneficiary designation on any life insurance policy on the life of  
2-39 either party or a child of the parties;  
2-40 (14) canceling, altering, failing to renew or pay  
2-41 premiums on, or in any manner affecting the level of coverage that  
2-42 existed at the time the suit was filed of, any life, casualty,  
2-43 automobile, or health insurance policy insuring the parties'  
2-44 property or persons, including a child of the parties;  
2-45 (15) opening or diverting mail or e-mail or any other  
2-46 electronic communication addressed to the other party;  
2-47 (16) signing or endorsing the other party's name on any  
2-48 negotiable instrument, check, or draft, including a tax refund,  
2-49 insurance payment, and dividend, or attempting to negotiate any  
2-50 negotiable instrument payable to the other party without the  
2-51 personal signature of the other party;  
2-52 (17) taking any action to terminate or limit credit or  
2-53 charge credit cards in the name of the other party;  
2-54 (18) discontinuing or reducing the withholding for  
2-55 federal income taxes from either party's wages or salary;  
2-56 (19) destroying, disposing of, or altering any  
2-57 financial records of the parties, including a canceled check,  
2-58 deposit slip, and other records from a financial institution, a  
2-59 record of credit purchases or cash advances, a tax return, and a  
2-60 financial statement;  
2-61 (20) destroying, disposing of, or altering any e-mail,  
2-62 text message, video message, or chat message or other electronic  
2-63 data or electronically stored information relevant to the subject  
2-64 matter of the suit for dissolution of marriage, regardless of  
2-65 whether the information is stored on a hard drive, in a removable  
2-66 storage device, in cloud storage, or in another electronic storage  
2-67 medium;  
2-68 (21) modifying, changing, or altering the native  
2-69 format or metadata of any electronic data or electronically stored

3-1 information relevant to the subject matter of the suit for  
3-2 dissolution of marriage, regardless of whether the information is  
3-3 stored on a hard drive, in a removable storage device, in cloud  
3-4 storage, or in another electronic storage medium;

3-5 (22) deleting any data or content from any social  
3-6 network profile used or created by either party or a child of the  
3-7 parties;

3-8 (23) using any password or personal identification  
3-9 number to gain access to the other party's e-mail account, bank  
3-10 account, social media account, or any other electronic account;

3-11 (24) terminating or in any manner affecting the  
3-12 service of water, electricity, gas, telephone, cable television, or  
3-13 any other contractual service, including security, pest control,  
3-14 landscaping, or yard maintenance at the residence of either party,  
3-15 or in any manner attempting to withdraw any deposit paid in  
3-16 connection with any of those services;

3-17 (25) excluding the other party from the use and  
3-18 enjoyment of a specifically identified residence of the other  
3-19 party; or

3-20 (26) entering, operating, or exercising control over a  
3-21 motor vehicle in the possession of the other party.

3-22 SECTION 2. The change in law made by this Act applies only  
3-23 to a suit for dissolution of marriage that is filed on or after the  
3-24 effective date of this Act. A suit for dissolution of marriage  
3-25 filed before the effective date of this Act is governed by the law  
3-26 in effect on the date the suit was filed, and the former law is  
3-27 continued in effect for that purpose.

3-28 SECTION 3. This Act takes effect September 1, 2015.

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