

1-1 By: Rodríguez S.B. No. 817
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 April 15, 2015, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 15, 2015,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Huffman	X		
1-10	Ellis	X		
1-11	Birdwell	X		
1-12	Creighton	X		
1-13	Estes	X		
1-14	Fraser	X		
1-15	Nelson	X		
1-16	Schwertner	X		
1-17	Zaffirini	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 817 By: Ellis

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the definitions of dating violence and family violence
1-22 for purposes of the issuance of a protective order.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 71.0021(a), Family Code, is amended to
1-25 read as follows:

1-26 (a) "Dating violence" means an act, other than a defensive
1-27 measure to protect oneself, by an actor that:

1-28 (1) is committed against a victim or applicant for a
1-29 protective order:

1-30 (A) with whom the actor has or has had a dating
1-31 relationship; or

1-32 (B) because of the victim's or applicant's
1-33 marriage to or dating relationship with an individual with whom the
1-34 actor is or has been in a dating relationship or marriage; and

1-35 (2) is intended to result in physical harm, bodily
1-36 injury, assault, or sexual assault or that is a threat that
1-37 reasonably places the victim or applicant in fear of imminent
1-38 physical harm, bodily injury, assault, or sexual assault.

1-39 SECTION 2. Section 71.004, Family Code, is amended to read
1-40 as follows:

1-41 Sec. 71.004. FAMILY VIOLENCE. "Family violence" means:

1-42 (1) an act by a member of a family or household against
1-43 another member of the family or household that is intended to result
1-44 in physical harm, bodily injury, assault, or sexual assault or that
1-45 is a threat that reasonably places the member in fear of imminent
1-46 physical harm, bodily injury, assault, or sexual assault, but does
1-47 not include defensive measures to protect oneself;

1-48 (2) abuse, as that term is defined by Sections
1-49 261.001(1)(C), (E), ~~and~~ (G), (H), (I), (J), and (K), by a member
1-50 of a family or household toward a child of the family or household;
1-51 or

1-52 (3) dating violence, as that term is defined by
1-53 Section 71.0021.

1-54 SECTION 3. The changes in law made by this Act apply only to
1-55 a request for a protective order that is filed on or after the
1-56 effective date of this Act. A request for a protective order filed
1-57 before the effective date of this Act is governed by the law in
1-58 effect on the date the request is filed, and the former law is
1-59 continued in effect for that purpose.

1-60 SECTION 4. This Act takes effect September 1, 2015.

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