

BILL ANALYSIS

Senate Research Center

S.B. 299
By: Ratliff
Criminal Justice
2-21-97
As Filed

DIGEST

Currently, counties with populations of less than 1.5 million must hold hearings on protective orders within 14 days from the date an application is filed. Judges in multi-county judicial districts who must rotate among several areas have difficulty coordinating their rotation schedule to accommodate protective order hearings every 14 days as well as numerous other scheduled hearings and trials. This legislation grants multi-county judicial districts the same 20-day period in which to hold protective hearings as is given to counties having a population of 1.5 million or more.

PURPOSE

As proposed, S.B. 299 establishes the date for a hearing on an application for a protective order.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 71.09(d), Family Code, to authorize a prosecuting attorney in a county in a multi-county judicial district to request that a hearing on an application for a protective order take place not later than 20 days after the date the application is filed, or that a hearing rescheduled due to failure of a respondent to receive service of a notice of application for a protective order take place not later than 20 days after the date on which the request is made. Makes a nonsubstantive change.

SECTION 2. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 3. Emergency clause.