

## **BILL ANALYSIS**

Senate Research Center  
77R5197 MCK-F

S.B. 653  
By: Staples  
Jurisprudence  
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As Filed

### **DIGEST AND PURPOSE**

Currently, Texas' Family Code authorizes a court to order certain specific types of treatment and counseling as a requirement under a protective order of a person found to have committed family violence, but omits the assessment and treatment for substance abuse from the treatments the court is authorized to order. As proposed, S.B. 653 authorizes a court to require substance abuse assessment and treatment under a protective order of a person found to have committed family violence.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 85.022(a), Family Code, to authorize a court, in a protective order, to order the person found to have committed family violence to be assessed for substance abuse and, if the person is determined to have a substance abuse problem, to complete a substance abuse treatment program.

SECTION 2. Amends Section 85.024(a), Family Code, to require a person found to have engaged in family violence who is ordered to attend a program or counseling under Section 85.022(a)(1) or (2) or who is assessed and determined to have a substance abuse problem and ordered to complete a substance abuse treatment program under Section 85.022(a)(4) to file with the court an affidavit before the 60th day after the date the order was rendered or the person was assessed and determined to have a substance abuse problem stating either that the person has begun the program or counseling or that a program or counseling is not available within a reasonable distance from the person's residence.

SECTION 3. Effective date: September 1, 2001.  
Makes application of this Act prospective.