

SUBJECT:	Extending duration of a magistrate's order for emergency protection
COMMITTEE:	Criminal Jurisprudence — favorable, without amendment
VOTE:	9 ayes — Moody, Cook, Bhojani, Bowers, Darby, Harrison, Leach, C. Morales, Schatzline 0 nays
WITNESSES:	<p>For — (<i>Registered, but did not testify</i>: Staley Heatly, 46th District Attorney's Office; James Parnell, Dallas Police Association; Elisa M. Tamayo, El Paso County; Joshua Normand, Harris County Deputies' Organization Fraternal Order of Police Lodge #39; Jessica Anderson, Houston Police Department; Ray Hunt, Houston Police Officers' Union; Todd Dillon, San Jacinto Criminal District Attorney; Brian Hawthorne, Buddy Mills, Ray Scifres, Sheriffs' Association of Texas; Breall Baccus, Texas Council on Family Violence; John Wilkerson, Texas Municipal Police Association; AJ Louderback, Texas Sheriffs Regional Alliance; Grace Pankl)</p> <p>Against — None</p> <p>On — (<i>Registered, but did not testify</i>: Bronwyn Blake, Texas Advocacy Project)</p>
BACKGROUND:	Some have suggested that the minimum duration of a magistrate's order for emergency protection is not sufficient for crime victims to reorganize their lives, safely seek shelter, or obtain legal representation.
DIGEST:	<p>HB 2092 would increase the minimum duration of a magistrate's order for emergency protection from 31 days to 61 days and the maximum duration from 61 days to 91 days for offenses that involved:</p> <ul style="list-style-type: none">• family violence;• trafficking and continuous trafficking of persons;• sexual assault, aggravated sexual assault, or indecent assault;

- stalking; or
- serious bodily injury to the victim.

The bill also would increase the minimum duration of a magistrate's order for emergency protection from 61 days to 91 days and the maximum duration from 91 days to 121 days for offenses that involved the use or exhibition of a deadly weapon during the commission of an assault.

The bill would take effect September 1, 2023, and would apply only to an order for emergency protection issued on or after the effective date.