

BILL ANALYSIS

Senate Research Center
80R15666 SLO-D

C.S.S.B. 789
By: Hegar et al.
Criminal Justice
4/18/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.S.B. 789 authorizes the issuance of a protective order to victims of sexual assault who are younger than 18 years of age without proving that a threat of further harm exists.

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 Article 7A.03, Code of Criminal Procedure, as follows:

Art. 7A.03. REQUIRED FINDINGS; ISSUANCE OF PROTECTIVE ORDER. (a) Requires the court, at the close of a hearing on an application for a protective order, to find whether there are reasonable grounds to believe that the applicant is the victim of sexual assault and is younger than 18 years of age and possesses a reasonable fear of further harm from the alleged offender; or is the subject of a threat that reasonably places the applicant in fear of further harm from the alleged offender, regardless of age.

(b) Makes a conforming change.

SECTION 2. Effective date: upon passage or September 1, 2007.