

CHAPTER 228

H.B. No. 110

AN ACT

relating to protective orders in cases of family violence.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 71.11, Family Code, is amended by amending Subsection (b), adding Subsection (c), and renumbering Subsections (c) and (d), to read as follows:

(b) In a protective order the court may prohibit a party from:

- (1) committing family violence;
- (2) directly communicating with a member of the family or household in a threatening or harassing manner;

(3) going to or near the residence or place of employment or business of a member of the family or household;

(4) *going to or near the residence, child care facility, or school where a child protected under the order normally resides or attends.*

(c) *In an order under Subsections (b)(3) and (b)(4) of this section, the [The] court shall specifically describe the prohibited locations and the minimum distances therefrom, if any, that the party must maintain unless Section 71.111 of this code applies, in which case, the court order need not disclose the place of the protected party's residence.*

(d) [(e)] A protective order or an agreement approved by the court under this chapter does not affect the title to real property.

(e) [(d)] A protective order made under this section that conflicts with any other court order made under Subtitle A, Title 2, of this code is to the extent of the conflict invalid and unenforceable.

SECTION 2. Section 71.17, Family Code, is amended by adding Subsection (c) to read as follows:

(c) *If a protective order made under this chapter prohibits a person from going to or near a child care facility or school under Section 71.11(b) of this code, the party requesting the order shall send a copy of the order to the child care facility or school.*

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 22, 1987, by a non-record vote. Passed by the Senate on May 14, 1987, by the following vote: Yeas 30, Nays 0.

Approved May 28, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.