

By:

____.B. No.____

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the issuance of a protective order by default.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 85.006(a), Family Code, is amended to
5 read as follows:

6 (a) Notwithstanding Rule 107, Texas Rules of Civil Procedure
7 a [A] court may render a protective order that is binding on a
8 respondent who does not attend a hearing if:

9 (1) the respondent received service of the application
10 and notice of the hearing; and

11 (2) proof of service was filed with the court before
12 the time set for the hearing.

13 SECTION 2. Section 85.006(a), Family Code, as amended by
14 this Act, applies only to an application for a protective order
15 that is filed on or after the effective date of this Act. An
16 application for a protective order filed before the effective date
17 of this Act is governed by the law in effect on the date the
18 application is filed, and the former law is continued in effect
19 for that purpose.

20 SECTION 3. This Act takes effect September 1, 2021.