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# LEGISLATIVE WRAP-UP

## 85TH SESSION

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# The issues . . .

- TAASA Agenda
  - RCC funding
  - Criminal justice
  - Family law
  - Protective orders
  
- Other notable legislation
  - Campus sexual assault
  - Sexual assault evidence kits



# TAASA Legislative Agenda

- **Our process**

- Analyze TA requests from RCCs and allied professionals.
- Survey members on needs, client priorities, and local trends.
- Consult with experts in specific issue areas.
- Assess technical feasibility, anticipated opposition, and TAASA advocacy resources.

# TAASA Legislative Agenda

- RCC appropriations
- Strengthen SA statute: Coercion
- Termination of Parental Rights based on Rape of Other Parent
- Eliminate Loophole in PO Modification Procedure
- Ensure Judges are Informed of POs

# Appropriations

- **SB 1: OAG Victim Assistance Rider, FY 18-19**
  - SAPCS-State = \$26,173,154
  - Sexual Assault Program Account 5010 (SOB fee) = \$20,377,092
  - *c.f.*, OAG Request in November 2016 = ~40% cut

# Level funding to RCCs



# Rape by Coercion: HB 1808

- “Without consent” = compelled to submit by coercion or threat of harm.
- Agg. sexual assault = Administered any substance with intent to facilitate assault.
- Penal Code 22.011 & 22.021

Effective Sept. 1, 2017



# Termination of Parental Rights based on Rape of Other Parent: SB 77

- Historically, crimes against other parent limited to (1) murder, (2) attempted murder, and (3) solicitation to murder.
- SB 77 adds sexual assault to that list.
- Survivors should not be forced to maintain co-parenting relationships with their rapists.
- Family Code 161.001(b)

Effective Sept. 1, 2017

# Ensure Judges are Informed of POs: HB 3052

- In divorces, SAPCRs, and suits to adjudicate parentage, copy of PO must be attached to petition.
- Previous law only covered divorces, and did not cover POs for SA, stalking, or trafficking.
- Family Code 6.405, 102.008, 160.6035

Effective Sept. 1, 2017

# Eliminate Loophole in PO Modification Procedure: SB 257

- Limits batterers to 2 attempts to modify a DVPO.
- Exempts POs for SA, stalking, and trafficking from the modification statute.
- Abusers don't get unlimited chances to use courts as tool of harassment & intimidation.
- Family Code 85.025

Effective Sept. 1, 2017

# Other Notable Legislation



# Criminal Justice

- SB 966: Defense to prosecution for possession/consumption of alcohol by a minor (Alc. Bev Code 106.04-106.05)
- SB 291: Attorney and hearing before attachment of witness (CCP Art. 24.111-24.221)

# Forensic Exams & Evidence Kits

- HB 281: Evidence kit tracking system (Gov. Code 420.034)
- HB 3152: SAFE-ready facilities & call-ahead law (Health Safety Code Ch. 323)
- HB 1729 / HB 4102: CJD grant program for kit testing; voluntary donation at DL renewal or vehicle registration (Transp. Code 521.002)

# Schools

- SB 968: Online reporting system; public and private institutions (Ed. Code 51.9363)
- SB 969: Amnesty for student misconduct (Ed. Code 51.9366)
- HB 822: Designates April SAAM, authorizes ISDs to do “relevant activities” (Gov. Code 662.111)



*Thank you!*

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