The descriptions of law contained in these slides are solely for educational purposes. They are not intended as legal advice. Do not rely on this information to address any legal question. Contact TAASA directly at 512-474-7190 for assistance.
LEGISLATIVE WRAP-UP
85TH SESSION

Chris Kaiser
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Texas Association Against Sexual Assault
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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