

AN ACT

relating to the admissibility of certain hearsay statements of a child in hearings on an application for a protective order.

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

SECTION 1. Chapter 84, Family Code, is amended by adding Section 84.006 to read as follows:

Sec. 84.006. HEARSAY STATEMENT OF CHILD VICTIM OF FAMILY VIOLENCE. In a hearing on an application for a protective order, a statement made by a child 12 years of age or younger that describes alleged family violence against the child is admissible as evidence in the same manner that a child's statement regarding alleged abuse against the child is admissible under Section 104.006 in a suit affecting the parent-child relationship.

SECTION 2. The changes in law made by this Act apply only to a hearing on an application for a protective order that is commenced on or after the effective date of this Act. A hearing on an application for a protective order that is commenced before the effective date of this Act is governed by the law in effect on the date the hearing was commenced, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 905 was passed by the House on March 30, 2011, by the following vote: Yeas 146, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 905 was passed by the Senate on May 3, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor