

HB 281 -- Domestic Violence

Sponsor: Barnes

This bill changes the laws regarding protective orders. In its main provisions, the bill:

(1) Specifies that a proper venue for a petition alleging domestic violence or stalking is the county in which the alleged incident of domestic violence or stalking occurred;

(2) Specifies that the laws pertaining to orders of protection apply to both domestic violence and stalking;

(3) Currently, any adult who has been subject to domestic violence may seek a protective order; the bill expands the protection to any person who has been subject to domestic violence;

(4) Requires the court to deny an ex parte order of protection and dismiss the petition request if the petitioner is not authorized to seek relief;

(5) Requires any parent or guardian served in lieu of service on a respondent less than 17 years of age to appear and bring the respondent before the court at the time and place stated in the summons;

(6) Requires notice of an ex parte or full order of protection to be served at the earliest time, and service of the notice must take priority over service in other actions, except for actions of a similar emergency nature;

(7) Gives a court the discretion to inquire of a petitioner or others in private with the judge, rather than in open court, in order to determine whether a dismissal of an order of protection must terminate on a petitioner's motion;

(8) Gives a court the discretion to enter an ex parte order of protection if the allegations in the petition would give rise to juvenile court jurisdiction because the respondent is less than 17 years of age; and

(9) Specifies that any system operated by the judiciary designed to provide public case information electronically must not post notice of a legal change in name if the petitioner is the victim of a crime which includes an act of domestic violence, the victim of child abuse, or the victim of domestic violence.