

# H.B. 148

## PROTECTIVE ORDER AMENDMENTS

Senator **Todd Weiler** proposes the following amendments:

1. *Page 1, Line 27 through Page 2, Line 28:*

27 (1) Except as provided in Subsection (6), {~~A~~} a protective order that has been in effect  
for at least two years may be dismissed if  
28 the court determines that the petitioner no longer has a reasonable fear of future abuse. In

2. *Page 2, Lines 38 through 40:*

38 (f) any other factors the court considers relevant to the case before it.  
39 (2) Except as provided in Subsection (6), {~~The~~} the court may amend or dismiss a  
protective order issued in accordance with this  
40 part that has been in effect for at least one year if it finds that:

3. *Page 3, Lines 64 through 65:*

64 (c) the court informs the petitioner of the effect of the dismissal.

(6) (a) Notwithstanding Subsection (1) or (2), a protective order that has been entered under this chapter concerning a petitioner and a respondent who are divorced shall automatically expire, subject to Subsections (6)(b) and (c), 10 years from the day on which one of following occurs:

(i) the decree of divorce between the petitioner and respondent became absolute; or

(ii) the protective order was entered.

(b) The protective order shall automatically expire, as described in Subsection (6)(a), unless:

(i) the petitioner demonstrates that the petitioner has a reasonable fear of future abuse, as described in Subsection (1); or

(ii) the respondent has been convicted of a protective order violation or any crime of violence subsequent to the issuance of the protective order.

(c) The ten years described in Subsection (6)(a) is tolled for any period of time that the respondent is incarcerated.

65 {~~(6)~~} (7) When the court dismisses a protective order, the court shall immediately;