

2nd Sub. S.B. 304
Protective Order Amendments

Representative **Matt MacPherson** proposes the following amendments:

1. *Line 139 through 147:*

139 statement or material information for the purpose of obtaining the protective order.

140 (2) A respondent may only make the motion described in Subsection (1) within 60 days

141 after the day of the hearing on the petition for the protective order.

(3) To prevail on a motion described in Subsection (1), the respondent shall prove the allegation by clear and convincing evidence.

142 {(3)} (4) The court may award reasonable attorney fees and costs to the party that prevails on the

143 motion described in Subsection (1).

144 {(4)} (5) If the respondent prevails on the motion described in Subsection (1) and the petitioner and respondent to the protective order proceeding are the child's parents:

145 (a) the court may order counseling for the child with a mental health therapist, as defined

146 in Section 58-60-102, chosen by the respondent, for up to 20 sessions at the

2. *Line 156 through 160:*

156 statement or material information for the purpose of obtaining the protective order.

157 (2) A respondent may only make the motion described in Subsection (1) within 60 days

158 after the day of the hearing on the petition for the protective order.

(3) To prevail on a motion described in Subsection (1), the respondent shall prove the allegation by clear and convincing evidence.

159 {(3)} (4) The court may award reasonable attorney fees and costs to the party that prevails on the

160 motion described in Subsection (1).