

77-36-2.4 Violation of protective orders -- Mandatory arrest -- Penalties.

- (1) A law enforcement officer shall, without a warrant, arrest an alleged perpetrator whenever there is probable cause to believe that the alleged perpetrator has violated any of the provisions of an ex parte protective order or protective order.
- (2)
 - (a) Intentional or knowing violation of any ex parte protective order or protective order is a class A misdemeanor, in accordance with Section 76-5-108, except where a greater penalty is provided in this chapter, and is a domestic violence offense, pursuant to Section 77-36-1.
 - (b) Second or subsequent violations of ex parte protective orders or protective orders carry increased penalties, in accordance with Section 77-36-1.1.
- (3) As used in this section, "ex parte protective order" or "protective order" includes:
 - (a) any protective order or ex parte protective order issued under Title 78B, Chapter 7, Part 1, Cohabitant Abuse Act;
 - (b) any jail release agreement, jail release court order, pretrial protective order, or sentencing protective order issued under Title 77, Chapter 36, Cohabitant Abuse Procedures Act;
 - (c) any child protective order or ex parte child protective order issued under Title 78B, Chapter 7, Part 2, Child Protective Orders; or
 - (d) a foreign protection order enforceable under Title 78B, Chapter 7, Part 3, Uniform Interstate Enforcement of Domestic Violence Protection Orders Act.

Amended by Chapter 384, 2010 General Session