

Effective 5/5/2021

78B-7-606 Expiration -- Extension.

- (1)
 - (a) Except as provided in Subsection (1)(b) and subject to the other provisions of this section, a cohabitant abuse protective order automatically expires three years after the day on which the cohabitant abuse protective order is entered.
 - (b)
 - (i) The civil provisions of a cohabitant abuse protective order described in Section 78B-7-603 expires 150 days after the day on which the cohabitant abuse protective order is entered, unless the court finds good cause for extending the expiration date of the civil provisions.
 - (ii) Unless a motion under this section is granted, a court may not extend the civil provisions of a cohabitant abuse protective order for more than three years after the day on which the cohabitant abuse protective order is entered.
- (2) A cohabitant abuse protective order automatically expires under Subsection (1), unless the petitioner files a motion before the day on which the cohabitant abuse protective order expires and demonstrates that:
 - (a) the petitioner has a current reasonable fear of future harm, abuse, or domestic violence; or
 - (b) the respondent committed or was convicted of a cohabitant abuse protective order violation or a qualifying domestic violence offense, as defined in Section 77-36-1.1, subsequent to the issuance of the cohabitant abuse protective order.
- (3)
 - (a) If the court grants the motion under Subsection (2), the court shall set a new date on which the cohabitant abuse protective order expires.
 - (b) The cohabitant abuse protective order will expire on the date set by the court unless the petitioner files a motion described in Subsection (2) to extend the cohabitant abuse protective order.

Amended by Chapter 159, 2021 General Session