

1st Sub. H.B. 248

DOMESTIC VIOLENCE RELATED AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 3

FEBRUARY 23, 2017 12:13 PM

Representative **LaVar Christensen** proposes the following amendments:

1. Page 8, Lines 232 through 233:

232 (b) ~~{determine whether to designate a person that may}~~ **identify the individual designated**
by the victim to communicate between the
233 defendant and the victim if and to the extent necessary for family related matters; and

2. Page 11, Line 334 through Page 12, Line 339

House Committee Amendments

2-17-2017:

334 (e) ~~{(i)}~~ A continuous protective order may be modified or dismissed ~~{only after the~~
335 **continuous protective order has been in effect for at least two years and}** only if the court
336 determines by clear and convincing evidence that all requirements of this Subsection (6) have
337 been met and the victim does not have a reasonable fear of future harm or abuse.
338 ~~{(ii) The two-year period described in Subsection (6)(c)(i) is tolled for any period of time~~
339 **that the perpetrator is incarcerated.}**

3. Page 12, Lines 349 through 356:

349 (7) (a) Before release of a person who is subject to a continuous protective order issued
350 under Subsection (6), the victim shall receive ~~{reasonable advance}~~ notice of the imminent
351 release by the law enforcement agency that is releasing the person who is subject to the
352 continuous protective order:
353 (i) if the victim has provided the law enforcement agency contact information; and
354 (ii) in accordance with Section 64-13-14.7, if applicable ~~{; and~~
355 ~~{(iii) including a statement that the person being released is notified of the penalties for~~
356 **violating the continuous protective order}** .

4. Page 17, Lines 506 through 509:

506 (6) (a) Notwithstanding Subsection (1) or (2) **and subject to Subsection (8)** , a protective order that
has been entered
507 under this chapter concerning a petitioner and a respondent who are divorced shall
508 automatically expire, subject to Subsections (6)(b) and (c), 10 years from the day on which one
509 of the following occurs:

