

1049 ~~sentencing continues to apply, and that a violation of the continuous protective order is a class~~
 1050 ~~A misdemeanor, is a separate domestic violence offense under Section 77-36-1, and is subject~~
 1051 ~~to increased penalties in accordance with Section 77-36-1.1.]~~

1052 [(8)] (5) In addition to a protective order issued under this section, the court may issue
 1053 a separate order relating to the transfer of a wireless telephone number in accordance with
 1054 Section [~~77-36-5.3~~] 78B-7-117.

1055 Section 18. Section 77-36-6 is amended to read:

1056 **77-36-6. Enforcement of orders.**

1057 (1) Each law enforcement agency in this state shall enforce all orders of the court
 1058 issued [~~pursuant to~~] under the requirements and procedures described in this chapter, and shall
 1059 enforce:

1060 (a) all protective orders and ex parte protective orders issued [~~pursuant to~~] under Title
 1061 78B, Chapter 7, [~~Part 1, Cohabitant Abuse Act~~] Part 6, Cohabitant Abuse Protective Orders;

1062 (b) pretrial protective orders issued under Section 78B-7-803 and sentencing protective
 1063 orders ~~§~~ **→ and continuous protective orders ←** ~~§~~ issued under Section 78B-7-804; and

1064 (c) all foreign protection orders enforceable under Title 78B, Chapter 7, Part 3,
 1065 Uniform Interstate Enforcement of Domestic Violence Protection Orders Act.

1066 (2) The requirements of this section apply statewide, regardless of the jurisdiction in
 1067 which the order was issued or the location of the victim or the perpetrator.

1068 Section 19. Section 77-38-403 is amended to read:

1069 **77-38-403. Definitions.**

1070 As used in this part:

1071 (1) "Advocacy services" means assistance provided that supports, supplements,
 1072 intervenes, or links a victim or a victim's family with appropriate resources and services to
 1073 address the wide range of potential impacts of being victimized.

1074 (2) "Advocacy services provider" means an entity that has the primary focus of
 1075 providing advocacy services in general or with specialization to a specific crime type or
 1076 specific type of victimization.

1077 (3) "Confidential communication" means a communication that is intended to be
 1078 confidential between a victim and a victim advocate for the purpose of obtaining advocacy
 1079 services.

1483 (ii) an ex parte civil protective order;

1484 (iii) a civil protective order;

1485 (iv) an ex parte civil stalking injunction; or

1486 (v) a civil stalking injunction.

1487 ~~[(4)]~~ (5) A petition for ~~[an order of protection]~~ an ex parte civil protective order and a
1488 civil protective order shall be in writing and verified.

1489 ~~[(5)]~~ (6) (a) ~~[An order for protection]~~ **§→ [An ex parte civil protective order and a civil**
1490 **protective order]** **The protective orders and stalking injunctions described in Subsection**

1490a **(1)(a) ←§** shall be issued in the form adopted by the Administrative Office of the Courts
1491 ~~[pursuant to]~~ under Subsection (1)(b).

1492 (b) ~~[A protective order issued, except orders issued ex parte,]~~ A civil protective order
1493 that is issued shall, if applicable, include the following language:

1494 "Respondent was afforded both notice and opportunity to be heard in the hearing that
1495 gave rise to this order. Pursuant to the Violence Against Women Act of 1994, P.L. 103-322,
1496 108 Stat. 1796, 18 U.S.C. Sec. 2265, this order is valid in all the United States, the District of
1497 Columbia, tribal lands, and United States territories. This order complies with the Uniform
1498 Interstate Enforcement of Domestic Violence Protection Orders Act."

1499 (c) ~~[A protective order issued in accordance with this part, including protective orders~~
1500 ~~issued ex parte and except for a continuous protective order issued under Subsection~~
1501 ~~77-36-5.1(6),]~~ An ex parte civil protective order and a civil protective order issued under Part
1502 6, Cohabitant Abuse Protective Orders, shall include the following language:

1503 "NOTICE TO PETITIONER: The court may amend or dismiss a protective order after
1504 one year if it finds that the basis for the issuance of the protective order no longer exists and the
1505 petitioner has repeatedly acted in contravention of the protective order provisions to
1506 intentionally or knowingly induce the respondent to violate the protective order, demonstrating
1507 to the court that the petitioner no longer has a reasonable fear of the respondent."

1508 (d) A child protective order issued under Part 2, Child Protective Orders shall include:

1509 (i) the date the order expires; and

1510 (ii) a statement that the address provided by the petitioner will not be made available to
1511 the respondent;

1512 (7) (a) (i) The court clerk shall provide, without charge, to the petitioner, one certified
1513 copy of a civil stalking injunction issued by the court and one certified copy of the proof of

1855 (3) When an order is served on a respondent in a jail, prison, or other holding facility,
 1856 the law enforcement agency managing the facility shall notify the petitioner of the respondent's
 1857 release. Notice to the petitioner consists of a prompt, good faith effort to provide notice,
 1858 including mailing the notice to the petitioner's last-known address.

1859 (4) Child support orders issued as part of a child protective order are subject to
 1860 mandatory income withholding under Title 62A, Chapter 11, Part 4, Income Withholding in
 1861 IV-D Cases, and Title 62A, Chapter 11, Part 5, Income Withholding in Non IV-D Cases.

1862 [~~(5) After notice, as provided in Rule 4 of the Utah Rules of Civil Procedure, and~~
 1863 ~~hearing, a court may modify or vacate a child protective order with a showing of substantial~~
 1864 ~~and material change in circumstances.;~~]

1865 [~~(6) The~~] (5) (a) A child protective order issued against a respondent who is a parent,
 1866 stepparent, guardian, or custodian of the child who is the subject of the order expires 150 days
 1867 after the [date of the order] day on which the order is issued unless a different date is set by the
 1868 court.

1869 (b) The court may not set a date on which a child protective order described in
 1870 Subsection (5)(a) expires that is more than 150 days after the [date of the order] day on which
 1871 the order is issued without a finding of good cause.

1872 (c) The court may review and extend the expiration date of a child protective order
 1873 described in Subsection (5)(a), but may not extend [it to] the expiration date more than 150
 1874 days after the [date of the order] day on which the order is issued without a finding of good
 1875 cause.

1876 [(7)] ~~H→ [(d) Notwithstanding] ←H~~ [Subsections (5) and (6), unless the judge orders
 1876a otherwise
 1877 all] ~~H→ [Subsections (5)(a) through (c), a child protective] ←H~~ [orders expire] ~~H→ [order issued~~
 1877a ~~against a~~
 1878 ~~respondent who is a parent, stepparent, guardian, or custodian of the child who is the subject of~~
 1879 ~~the order expires when the] ←H~~ [subject of the order] ~~H→ [child is 18 years] ←H~~ [of age, unless the
 1879a judge
 1880 vacates the order earlier] ~~H→ [old.]~~

1880a (d) Notwithstanding Subsections (5)(a) through (c), a child protective order is not
 1880b effective after the day on which the child who is the subject of the order turns 18 years old and
 1880c the court may not extend the expiration date of a child protective order S→ [under Subsection
 1880d (5)(b) or (c)] ←S to a date after the day on which the child who is the subject of the order turns
 1880e1 18
 1880e years old. ←H

1881 (6) A child protective order issued against a respondent who is not a parent, stepparent,
 1882 guardian, or custodian of the child who is the subject of the order expires S→ [when the child is]
 1882a on the day on which the child turns ←S 18
 1883 years old.⊛

1884

✪Section 39. Section **78B-7-402** is amended to read:

1885

Part 4. Dating Violence Protective Orders

2599 (b) transmit a copy of the order of dismissal to the statewide domestic violence
2600 network as described in Section 78B-7-113.

2601 ~~[(8) Notwithstanding the other provisions of this section, a continuous protective order~~
2602 ~~may not be modified or dismissed except as provided in Subsection 77-36-5.1(6).]~~

2603 Section 54. Section 78B-7-606, which is renumbered from Section 78B-7-115.5 is
2604 renumbered and amended to read:

2605 ~~[78B-7-115.5].~~ **78B-7-606. Expiration -- Extension.**

2606 (1) Subject to the other provisions of this section, ~~[a civil]~~ a cohabitant abuse
2607 protective order ~~[issued under this part]~~ automatically ~~[expires 10]~~ expires three years after the
2608 day on which the cohabitant abuse protective order is entered.

2609 (2) ~~[The]~~ A cohabitant abuse protective order automatically expires as described in
2610 Subsection (1), unless the petitioner files a motion before the day on which the cohabitant
2611 abuse protective order expires and demonstrates that:

2612 (a) the petitioner has a current reasonable fear of future harm, abuse, or domestic
2613 violence~~[-as described in Subsection 78B-7-115(1)];~~ or

2614 (b) the respondent committed or was convicted of a cohabitant abuse protective order
2615 violation or a qualifying domestic violence offense, as defined in Section 77-36-1.1,
2616 subsequent to the issuance of the cohabitant abuse protective order.

2617 (3) (a) If the court grants the motion under Subsection (2), the court shall set a new
2618 date on which the cohabitant abuse protective order expires.

2619 (b) The cohabitant abuse protective order will expire on the date set by the court unless
2620 the petitioner files a motion described in Subsection (2) to extend the cohabitant abuse
2621 protective order.

2622 Section 55. Section 78B-7-607 is enacted to read:

2623 **78B-7-607. Penalties.**

2624 **§→ (1) ←§** A violation of a §→ criminal provision of a ←§ protective order issued under
2624a this part is a class A misdemeanor.

2624b **§→ (2) A violation of a civil provision of a protective order issued under this part is**
2624c **contempt of court. ←§**

2625 Section 56. Section 78B-7-608, which is renumbered from Section 78B-7-110 is
2626 renumbered and amended to read:

2627 ~~[78B-7-110].~~ **78B-7-608. No denial of relief solely because of lapse of time.**

2628 The court may not deny a petitioner relief requested ~~[pursuant to]~~ under this ~~[chapter]~~
2629 part solely because of a lapse of time between an act of domestic violence or abuse and the