

1st Sub. H.B. 0509

CRIMINAL PROTECTIVE ORDER AMENDMENTS

Representative **Andrew Stoddard** proposes the following amendments:

1. *Page 9, Lines 246 through 251:*

246 (b) Except as provided in Subsection (6), if a perpetrator is convicted of a domestic
247 violence offense resulting in a sentence of imprisonment, including jail, that is to be served
248 after conviction, the court shall issue a continuous protective order at the time of the conviction
249 or sentencing limiting the contact between the perpetrator and the victim unless ∴

(i) the court
250 determines by clear and convincing evidence that the victim does not have a reasonable fear
251 of future harm or abuse {~~∴~~} ∴ and

(ii) the court conducts a hearing.

2. *Page 9, Lines 253 through 257:*

253 (ii) A victim has a right to request a hearing.

254 [~~(ii)~~] (iii) If the perpetrator or the victim requests a hearing under this Subsection
255 (3)(c), the court shall hold the hearing at the time determined by the court.

256 (iv) The continuous protective order shall be in effect while the hearing is being
257 scheduled and while the hearing is pending.

(v) A prosecutor shall use reasonable efforts to notify a victim of a hearing described in Subsection (3)(b)(ii).