

The Governor's Family Violence Council

2011 Legislative Agenda

DOMESTIC VIOLENCE LEGISLATION

Bills listed in numerical order

Bills Supported by the FVC

HB 407/SB 747 - Domestic Violence – Additional Relief – Award of Temporary Possession of Pet

As amended, this bill would authorize a District Court Commissioner/judge to order the temporary possession of a pet in an interim, temporary, or final protective order.

- **HB 407 Approved by the Governor**

HB 416/SB 653 - Family Law - Domestic Violence - Definition of Abuse

Altering the definition of "abuse" for purposes of specified provisions of law relating to domestic violence to include harassment, trespass, and malicious destruction of property under specified provisions of law.

- **House: Unfavorable Report**
- **Senate: Unfavorable Report**

HB 647/SB 317 - Homeowners Insurance – Victims of Crimes of Violence – Discrimination Prohibited

As amended, this bill would prohibit insurers from using information about an individual's status as a victim of a crime of violence to take certain actions relating to a homeowner's insurance policy or denying payment to an innocent co-insured person.

- **Approved by the Governor**

HB 666/SB 480 - Courts - Peace Orders –

Altering the penalty, for a second or subsequent offense, for a person who fails to comply with the relief granted in an interim, a temporary, or a final peace order.

- **Approved by the Governor**

HB 667/SB 342 - Courts - Peace Orders – Penalties

As amended, this bill would allow a judge the discretion to grant an extension of a peace order for an additional six months after a hearing.

- **Approved by the Governor**

HB 819/SB 593 – Crimes - Definition of Serious Physical Injury - Strangulation and Suffocation

Establishing that for specified provisions of law relating to assault, reckless endangerment, the abuse of vulnerable adults, and domestic violence, the definition of "serious physical injury" includes strangulation and suffocation.

- **House: Hearing for SB 593 on March 30th. Action pending.**
- **Senate: Third reading Passed**

HB 820/SB 651 - Crimes - Domestic Violence Assault

Establishing the offense of domestic violence assault; establishing penalties; prohibiting a court from suspending any part of specified mandatory minimum sentences; and requiring the State to notify the defendant in writing within a specified period of time before the trial if the State intends to seek a mandatory minimum sentence.

- **House: no vote**
- **Senate: no vote**

HB 1018 – Family Law - Protective Orders - Additional Relief (no cross file)

As amended, this bill would authorize a judge, in a final protective order, to order the respondent to remain a specified distance away from a person eligible for relief.

- **Passed House and Senate with different amendments**

HB 1047 – Rental Housing - Tenant Victim of Domestic Violence or Sexual Assault - Lease Payment Obligation

(no cross file)

Limiting the liability under a residential lease if a tenant victim of domestic violence or sexual assault terminates the lease and vacates the premises; and authorizing the tenant victim to terminate future liability under the lease except for a specified period of time after providing notice of an intent to vacate.

➤ **Approved by the Governor**

SB 650 - Peace Orders - Surrender of Firearms

(no cross file)

Authorizing a court issuing a temporary peace order to order the respondent to surrender to law enforcement authorities and to refrain from possessing firearms for a specified period of time under specified circumstances; requiring a court issuing a final peace order to order the respondent to surrender to law enforcement authorities and to refrain from possessing firearms for a specified period of time under specified circumstances; etc.

➤ **Senate: Unfavorable Report**

SB 587 - Protective Order Violations - Mandatory Mental Health Evaluation– support (with amendments)

(no cross file)

Requiring the court to order a person charged with a violation of an interim, a temporary, or a final protective order to undergo a mental health evaluation.

➤ **Withdrawn by Sponsor**

SB 674 - Domestic Violence - Protective Orders - Additional Relief

(no cross file)

Authorizing a judge to include in a final protective order any other relief the judge determines is appropriate under the circumstances to protect a person eligible for relief.

➤ **Senate: no vote**

Bills to Oppose

HB 805 – Domestic Violence – Timely Reporting

(no cross file)

Requiring a petition for a protective order to be filed within 30 days after the alleged act of abuse on which the petition is based.

➤ **Withdrawn by Sponsor**

HB 922 – Criminal Procedure - Victims' Resource Center - Funding

(no cross file)

Requiring the Governor's Office of Crime Control and Prevention to sustain the Victims' Resource Center; requiring the Victims' Resource Center to perform certain functions; increasing, from \$3 to \$5, a cost that a court is required to impose on a defendant convicted of a specified offense; altering the required distribution of these fees and including the Victims' Resource Center as a recipient of a specified portion of the fees; etc.

➤ **House: no vote**