

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 04/17/15

Action: Do Pass With Amendments. (Printed A-Eng.)

Meeting Dates: 04/13, 04/17

Vote:

Yeas: 5 - Burdick, Gelser, Kruse, Prozanski, Thatcher

Prepared By: Laura Handzel, Administrator

WHAT THE MEASURE DOES:

Requires petitioner in suit for marital annulment, dissolution or separation to disclose whether protective order exists between the parties in this state, or any other jurisdiction, as well as any other order restraining one party from contact with the other or the parties' minor children.

ISSUES DISCUSSED:

- Bill's origination from meeting with domestic violence advocates
- Helps resolve issues stemming from domestic violence instances
- Only requires notification, not any certain course of action
- Clarifying amendment
- Limited to protective orders between parties
- Exclusion of third party protective orders

EFFECT OF COMMITTEE AMENDMENT:

Provides clarification that disclosure is required of protective orders "between" the parties instead of "against" either party.

BACKGROUND:

Currently, the petitioner in a suit for marital annulment, dissolution or separation is not required to disclose whether any protective orders exist against either party. In certain situations, however, for example when domestic violence is an issue, such information is crucial for the court to know.

Senate Bill 788-A requires the petitioner in a suit for marital annulment, dissolution or separation to disclose whether there exists in this state, or any other jurisdiction, a protective order authorized by law between the parties, as well as any other order restraining one of the parties from contact with the other party or with the parties' minor children. Senate Bill 788-A applies to petitions for marital annulment, dissolution or separation filed on or after the effective date.