

FEB 17 1999

JUDICIARY

HOUSE FILE 305

BY BURNETT, WHITEAD, JOCHUM,
and DODERER *2/17/99 Sponsor added - Davis*

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to protective orders for domestic abuse.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 305

1 Section 1. Section 236.5, subsection 2, paragraph e,
2 unnumbered paragraph 2, Code 1999, is amended to read as
3 follows:

4 An order for counseling, a protection order, or approved
5 consent agreement shall be for a fixed period of time not to
6 exceed one year. The court may amend or extend its order or a
7 consent agreement at any time upon a petition filed by either
8 party and after notice and hearing. The court may extend the
9 order if the court finds that the defendant continues to pose
10 a threat to the safety of the victim, persons residing with
11 the victim, or member's of the victim's immediate family. At
12 the time of the extension, the parties need not meet the
13 requirement in section 236.2, subsection 2, paragraph "d",
14 that the parties lived together during the last year if the
15 parties met the requirements of section 236.2, subsection 2,
16 paragraph "d", at the time of the original order. The number
17 of extensions that can be granted by the court is not limited.

18 Sec. 2. Section 236.19, subsection 2, Code 1999, is
19 amended to read as follows:

20 2. A copy of a foreign protective order authenticated in
21 accordance with the statutes of this state may be filed with
22 the clerk of the district court ~~of the~~ in any county in which
23 the person in whose favor the order was entered resides may be
24 present. The clerk shall provide copies of the order as
25 required by section 236.5.

26

EXPLANATION

27 This bill amends two sections in Code chapter 236 relating
28 to protective orders for domestic abuse.

29 The bill amends Code section 236.5 to permit the court to
30 grant an unlimited number of extensions of a protective order
31 if the court finds that the defendant still poses a threat to
32 the safety of the victim, the victim's family, or persons
33 residing with the victim.

34 The bill expands Code section 236.19 to allow a person who
35 is protected by a foreign protective order to register the

1 order with the district court in any county where the person
2 may be present, rather than just the county where the person
3 resides.

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