

Session 119 - (2011-2012)

S 0376 General Bill, By Bryant

Summary: Restraining orders

A BILL TO AMEND SECTION 16-3-1750 OF THE 1976 CODE, RELATING TO THE DURATION OF A RESTRAINING ORDER AGAINST A PERSON ENGAGED IN HARASSMENT OR STALKING, TO PROVIDE THAT THE ORDER MAY NOT BE LIFTED WITHOUT THE CONSENT OF THE VICTIM; TO AMEND SECTION 16-3-1780, RELATING TO THE MODIFICATION OF RESTRAINING ORDERS, TO PROVIDE THAT THE COURT MAY NOT TERMINATE THE FIXED PERIOD OR TERMINATE A RESTRAINING ORDER WITHOUT THE PRIOR CONSENT OF THE PLAINTIFF; TO AMEND SECTION 16-25-120, RELATING TO THE ISSUANCE OF A RESTRAINING ORDER, TO PROVIDE THAT THE COURT MAY NOT SHORTEN THE FIXED PERIOD OR TERMINATE A RESTRAINING ORDER OR PROTECTIVE ORDER WITHOUT PRIOR CONSENT OF THE VICTIM; AND TO AMEND SECTION 20-4-70, RELATING TO THE DURATION OF THE TERM OF A PROTECTIVE ORDER AND THE MODIFICATION OF ITS TERMS, TO PROVIDE THAT EITHER PARTY MAY EXTEND THE LENGTH OF AN ORDER, AND TO PROVIDE THAT THE LENGTH OF THE ORDER MAY NOT BE SHORTENED OR TERMINATED WITHOUT THE CONSENT OF THE PETITIONER.

01/18/11 Senate Introduced and read first time (Senate Journal-page 3)

01/18/11 Senate Referred to Committee on Judiciary (Senate Journal-page 3)

03/07/11 Senate Referred to Subcommittee: Knotts (ch), Massey, Coleman