

SENATE FILE NO. SF0115

Order of protection-tolling during imprisonment.

Sponsored by: Senator(s) Anselmi-Dalton, Ellis, Kost and
Nethercott and Representative(s) Pelkey and
Zwonitzer

A BILL

for

1 AN ACT relating to orders of protection; providing for the
2 tolling of the effective period of an order of protection as
3 specified; amending the duration of an extension; and
4 providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 7-3-510(b) and 35-21-106(b) are amended
9 to read:

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11 **7-3-510. Service of order; duration and extension of**
12 **order; violation; remedies not exclusive.**

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14 (b) An order of protection granted by the court under
15 W.S. 7-3-509 shall be effective for a fixed period of time

1 not to exceed three (3) years. Either party may move to
2 modify, terminate or extend the order. The order may be
3 extended repetitively upon a showing of good cause for
4 additional periods of time, not to exceed ~~one (1) year~~ three
5 (3) years each, if the court finds from specific facts that
6 a clear and present danger to the victim continues to exist.
7 If a party to an order of protection becomes imprisoned, the
8 effective period for the order of protection shall be tolled
9 during the term of imprisonment.

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11 **35-21-106. Service of order; duration and extension of**
12 **order; violation; remedies not exclusive.**

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14 (b) An order of protection granted by the court shall
15 be effective for a fixed period of time not to exceed three
16 (3) years. Either party may move to modify, terminate or
17 extend the order. The order may be extended repetitively upon
18 a showing of good cause for additional periods of time not to
19 exceed ~~one (1) year~~ three (3) years each. If a party to an
20 order of protection becomes imprisoned the effective period
21 for the order of protection shall be tolled during the term
22 of imprisonment. The filing of an action for divorce shall
23 not supersede an order of protection granted under this act.

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2 **Section 2.** This act applies to orders of protection
3 granted, modified or extended on or after July 1, 2019.

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5 **Section 3.** This act is effective July 1, 2019.

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(END)