

SENATE BILL No. 269

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-26-5-4.

Synopsis: Protective orders. Provides that, for purposes of protective orders, the court that issues a protective order shall maintain jurisdiction over the protective order unless the petitioner requests that the protective order be transferred to a different county due to the petitioner's change in residency. Provides an opportunity for the respondent to file an objection to the transfer of jurisdiction.

Effective: July 1, 2019.

Head

January 7, 2019, read first time and referred to Committee on Judiciary.



First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 269

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 34-26-5-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) Any court of
3 record has jurisdiction to issue a civil order for protection.

4 (b) A petition for an order for protection must be filed in the county
5 in which the:

6 (1) petitioner currently or temporarily resides;

7 (2) respondent resides; or

8 (3) domestic or family violence occurred.

9 (c) There is no minimum residency requirement to petition for an
10 order for protection.

11 (d) **Except as provided in subsection (e), once a court issues an**
12 **order for protection, the same court shall maintain jurisdiction**
13 **over the order for protection for the duration of the order for**
14 **protection.**

15 (e) **If the petitioner moves out of the county where the order for**
16 **protection was granted, the petitioner may seek to have the order**
17 **for protection transferred to a court located in the petitioner's new**



1 county of residence.

2 (f) The respondent shall have fifteen (15) days to file an
3 objection to the petitioner's request for transfer of jurisdiction. If
4 the respondent fails to file an objection in the time limit provided
5 in this subsection, the court shall grant the transfer of jurisdiction
6 of the order for protection to a court in the petitioner's new county
7 of residency.

