

HOUSE BILL NO. 496
INTRODUCED BY A. BECKER

A BILL FOR AN ACT ENTITLED: "AN ACT INCLUDING INJUNCTIONS OR OTHER COURT ORDERS UNDER SEXUAL ASSAULT OR STALKING LAWS IN THE DEFINITION OF "PROTECTION ORDER" FOR PURPOSES OF THE UNIFORM INTERSTATE ENFORCEMENT OF DOMESTIC VIOLENCE PROTECTION ORDERS ACT; AMENDING SECTION 40-15-402, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 40-15-402, MCA, is amended to read:

"40-15-402. Definitions. As used in this part, the following definitions apply:

- (1) "Foreign protection order" means a protection order issued by a court of another state.
- (2) "Issuing state" means the state whose court issues a protection order.
- (3) "Mutual foreign protection order" means a foreign protection order that includes provisions in favor of both the protected individual seeking enforcement of the order and the respondent.
- (4) "Protected individual" means an individual protected by a protection order.
- (5) "Protection order" means an injunction or other order issued by a court under the domestic violence, ~~or~~ family violence, sexual assault, or stalking laws of the issuing state to prevent an individual from engaging in violent or threatening acts against, harassment of, contact or communication with, or physical proximity to another individual.
- (6) "Respondent" means the individual against whom enforcement of a protection order is sought.
- (7) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States. The term includes an Indian tribe or band that has jurisdiction to issue protection orders."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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