
HOUSE BILL No. 1465

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-26-5-2.

Synopsis: Order of protection. Provides that a victim of domestic or family violence, or a parent on behalf of a child, may file a petition for an order of protection against a family or household member who threatens to commit an act of domestic or family violence.

Effective: July 1, 2011.

Kersey

January 20, 2011, read first time and referred to Committee on Family, Children and Human Affairs.

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First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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HOUSE BILL No. 1465



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 34-26-5-2 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 2. (a) A person who is
 3 or has been a victim of domestic or family violence may file a petition
 4 for an order for protection against a:

- 5 (1) family or household member who commits, **or threatens to**
- 6 **commit**, an act of domestic or family violence; or
- 7 (2) person who has committed stalking under IC 35-45-10-5 or a
- 8 sex offense under IC 35-42-4 against the petitioner.

9 (b) A parent, a guardian, or another representative may file a
 10 petition for an order for protection on behalf of a child against a:

- 11 (1) family or household member who commits, **or threatens to**
- 12 **commit**, an act of domestic or family violence; or
- 13 (2) person who has committed stalking under IC 35-45-10-5 or a
- 14 sex offense under IC 35-42-4 against the child.

15 (c) A court may issue only one (1) order for each respondent. If a
 16 petitioner files a petition against more than one (1) respondent, the
 17 court shall:



1 (1) assign a new case number; and
2 (2) maintain a separate court file;
3 for each respondent.

4 (d) If a petitioner seeks relief against an unemancipated minor, the
5 case may originate in any court of record and, if it is an emergency
6 matter, be processed the same as an ex parte petition. When a hearing
7 is set, the matter may be transferred to a court with juvenile
8 jurisdiction.

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