

HOUSE MESSAGE SUMMARY

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BILL: SB 716, 1st Engrossed
SPONSOR: Senator Peaden
SUBJECT: Domestic Violence
PREPARED BY: Senate Committee on Children and Families
DATE: March 18, 2002

I. Amendments Contained in Message:

House Amendment 1 – 525543 to SB 716, 1st Engrossed (body with title)

II. Summary of Amendments Contained in Message:

House Amendment 1 inserts into SB 716 the substance of CS/CS/CS/SB 316 as passed by the Senate Appropriations on Health and Human Services Committee with one substantive difference and a number of conforming, clarifying and technical differences. The substantive difference is the removal of the increase in the dissolution of marriage fee which would increase the funding for the domestic violence centers. The House is unwilling to accept the fee increase.

The remaining differences provide for the following: requires that the clerk of circuit court in submitting petitions for injunctions for protection against domestic violence to the court for reimbursement to submit a certified request using forms developed by the Office of State Courts Administrator; provides for conforming language in other sections to the elimination of the service charge for injunctions for protection against domestic violence; revises the reference to domestic violence definitions in two juvenile justice sections to refer to the entire definitions section instead of specific terms; places the terms in the domestic violence definitions section in alphabetical order; conforms the definition of violence in the injunction for repeat violence to reflect the same offenses as the definition of domestic violence; corrects references to injunctions for protection against dating violence; clarifies that there are two separate causes of action for an injunction for protection against dating violence, the person is a victim of dating violence or the person is in imminent danger of becoming a victim of domestic violence; and removes reference to a “substantial” dating relationship that must have existed within the past 6 months since the nature and type of relationship is dealt with in the other two factors for determining the existence of dating violence.