

# Chapter 137

ORIGINAL HOUSE  
BILL NO. 0219

ENROLLED ACT NO. 83, HOUSE OF REPRESENTATIVES

FIFTY-SECOND LEGISLATURE OF THE STATE OF WYOMING  
1993 GENERAL SESSION

AN ACT to amend W.S. 35-21-101, 35-21-102(a)(iv)(E) and (F) and by creating a new subparagraph (G) and 35-21-106(a), (b) and (c) relating to the Family Violence Protection Act; renaming the act; defining who may petition the court for an order of protection; specifying distribution of orders of protection granted under the act; specifying that filing action for divorce does not supersede a protective order; clarifying that an order under the act has statewide applicability; and providing for an effective date.

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

Section 1. W.S. 35-21-101, 35-21-102(a)(iv)(E) and (F) and by creating a new subparagraph (G) and 35-21-106(a), (b) and (c) are amended to read:

35-21-101. Short title. This act may be cited as the "Family DOMESTIC Violence Protection Act".

35-21-102. Definitions.

(a) As used in this act:

(iv) "Household member" means:

(E) Parents and their adult children; and

(F) Other adults sharing common living quarters;:

AND

(G) PERSONS WHO ARE THE PARENTS OF A CHILD BUT WHO ARE NOT LIVING WITH EACH OTHER.

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

(a) An order of protection granted under this act shall be

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filed with the clerk of court and a copy shall be sent by the clerk to the county sheriff WHO SHALL, AFTER SERVICE, NOTIFY THE LOCAL LAW ENFORCEMENT AGENCY WITHIN THE COUNTY IN WHICH THE PETITIONER RESIDES. The order shall be personally served upon the respondent, unless he or his attorney was present at the time the order was issued.

(b) An order of protection granted by the court shall be effective for a fixed period of time not to exceed three (3) months. The order may be extended REPETITIVELY for good cause upon motion of the petitioner for an additional period PERIODS of time not to exceed three (3) months EACH. THE FILING OF AN ACTION FOR DIVORCE SHALL NOT SUPERSEDE AN ORDER OF PROTECTION GRANTED UNDER THIS ACT.

(c) Willful violation of an order of protection is a crime as defined by W.S. 6-4-404. AN ORDER OF PROTECTION GRANTED UNDER THIS ACT HAS STATEWIDE APPLICABILITY AND A CRIMINAL PROSECUTION UNDER THIS SUBSECTION MAY BE COMMENCED IN ANY COUNTY IN WHICH THE RESPONDENT COMMITS AN ACT IN VIOLATION OF THE ORDER OF PROTECTION.

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Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Charles W. Chandler  
Speaker of the House

J. B. D. J.  
President of the Senate

Tommy Green  
Governor

TIME APPROVED: 10:22 am

DATE APPROVED: 2/27/93

I hereby certify that this act originated in the House.

Paul S. Galatos  
Chief Clerk

