



Explanation of Changes in Committee Substitute for HB 8

CSHB8(JUD)

“Enforcement of Foreign Protective Orders”

During HB 8’s first hearing before the House Judiciary Committee, Representative Eastman noticed two sections of the bill that could be drafted more economically.

Sections 8 and 9 of the original bill concern recognition of domestic-violence-related protective orders in statutes regarding dissolution of marriage.

Section 8 included that a petition for dissolution of a marriage must state whether during the marriage one spouse or the other was either the petitioner or respondent of a domestic-violence-related protective order.

Section 9 included that a court should give a heightened level of scrutiny to dissolution agreements if one party or the other was either the petitioner or respondent of a domestic-violence-related protective order.

These statutes currently single out protective orders issued in another jurisdiction, including the requirement that they be filed with an Alaska court. However, because of the amendments the bill makes to AS 18.66.140(b), that singling out is no longer necessary. Protective orders issued in another jurisdiction, along with the fact that they needn’t be filed with an Alaska court, would now be covered in the range of statutes—AS 18.66.100 through 18.66.180—already cited in these sections, at AS 25.24.210(e)(7)(B) and at AS 25.24.220(h)(2)(B).

The committee substitute therefore simply repeals the subparagraphs that make reference to “a protective order issued in another jurisdiction and filed with the court in this state under AS 18.66.140.” These are AS 25.24.210(e)(7)(D) and AS 25.24.220(h)(2)(D).