

AMENDMENTS TO LB289

Introduced by Cook, 13.

1           1. Insert the following new section:

2           Sec. 6. Section 42-924, Revised Statutes Cumulative Supplement,  
3           2014, is amended to read:

4           42-924 (1)(a) ~~(1)~~ Any victim of domestic abuse may file a petition  
5           and affidavit for a protection order as provided in subsection (2) of  
6           this section. Upon the filing of such a petition and affidavit in support  
7           thereof, the court may issue a protection order without bond granting the  
8           following relief:

9           *(i a)* Enjoining the respondent from imposing any restraint upon the  
10          petitioner or upon the liberty of the petitioner;

11          *(ii b)* Enjoining the respondent from threatening, assaulting,  
12          molesting, attacking, or otherwise disturbing the peace of the  
13          petitioner;

14          *(iii e)* Enjoining the respondent from telephoning, contacting, or  
15          otherwise communicating with the petitioner;

16          *(iv d)* Removing and excluding the respondent from the residence of  
17          the petitioner, regardless of the ownership of the residence;

18          *(v e)* Ordering the respondent to stay away from any place specified  
19          by the court;

20          *(vi f)* Awarding the petitioner temporary custody of any minor  
21          children not to exceed ninety days; or

22          ~~(g) Enjoining the respondent from possessing or purchasing a firearm~~  
23          ~~as defined in section 28-1201; or~~

24          *(vii h)* Ordering such other relief deemed necessary to provide for  
25          the safety and welfare of the petitioner and any designated family or  
26          household member.

27          (b) An order issued pursuant to this subsection that meets the

1 requirements of 18 U.S.C. 922(g)(8)(A) through (C), as such section  
2 existed on the effective date of this act, shall enjoin the respondent  
3 from possessing or purchasing a firearm, as defined in section 28-1201,  
4 for the length of the order.

5 (2) Petitions for protection orders shall be filed with the clerk of  
6 the district court, and the proceeding may be heard by the county court  
7 or the district court as provided in section 25-2740.

8 (3) A petition filed pursuant to subsection (1) of this section may  
9 not be withdrawn except upon order of the court. An order issued pursuant  
10 to subsection (1) of this section shall specify that it is effective for  
11 a period of one year and, if the order grants temporary custody, the  
12 number of days of custody granted to the petitioner unless otherwise  
13 modified by the court.

14 (4) Any person who knowingly violates a protection order issued  
15 pursuant to subsection (1) of this section or section 42-931 after  
16 service or notice as described in subsection (2) of section 42-926 shall  
17 be guilty of a Class I misdemeanor, except that any person convicted of  
18 violating such order who has a prior conviction for violating a  
19 protection order shall be guilty of a Class IV felony.

20 (5) If there is any conflict between sections 42-924 to 42-926 and  
21 any other provision of law, sections 42-924 to 42-926 shall govern.

22 2. Renumber the remaining section and correct the repealer  
23 accordingly.