

House Bill 799

By: Representatives Snow of the 1<sup>st</sup>, and Day of the 126<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 19-13-4 of the Official Code of Georgia Annotated, relating to  
2 protective orders and consent agreements relating to family violence, so as to revise a  
3 provision prohibiting certain mutual protective orders; to provide that a court may order a  
4 party to refrain from harassing or interfering with another party; to repeal conflicting laws;  
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 19-13-4 of the Official Code of Georgia Annotated, relating to protective  
9 orders and consent agreements relating to family violence, is amended by striking subsection  
10 (a) and inserting in lieu thereof the following:

11 "(a) The court may, upon the filing of a verified petition, grant any protective order or  
12 approve any consent agreement to bring about a cessation of acts of family violence. The  
13 court shall not have the authority to issue or approve mutual protective orders concerning  
14 paragraph (1), (2), (5), ~~(9)~~, or (11) of this subsection, or any combination thereof, unless  
15 the respondent has filed a verified petition as a counter petition pursuant to Code Section  
16 19-13-3 no later than three days, not including Saturdays, Sundays, and legal holidays,  
17 prior to the hearing and the provisions of Code Section 19-13-3 have been satisfied. The  
18 orders or agreements may:

- 19 (1) Direct the respondent to refrain from such acts;  
20 (2) Grant to a party possession of the residence or household of the parties and exclude  
21 the other party from the residence or household;  
22 (3) Require a party to provide suitable alternate housing for a spouse, former spouse, or  
23 parent and the parties' child or children;  
24 (4) Award temporary custody of minor children and establish temporary visitation rights;

- 1 (5) Order the eviction of a party from the residence or household and order assistance to  
2 the victim in returning to it, or order assistance in retrieving personal property of the  
3 victim if the respondent's eviction has not been ordered;
- 4 (6) Order either party to make payments for the support of a minor child as required by  
5 law;
- 6 (7) Order either party to make payments for the support of a spouse as required by law;
- 7 (8) Provide for possession of personal property of the parties;
- 8 (9) Order ~~the respondent~~ a party to refrain from harassing or interfering with ~~the victim~~  
9 another party;
- 10 (10) Award costs and attorney's fees to either party; and
- 11 (11) Order the respondent to receive appropriate psychiatric or psychological services  
12 as a further measure to prevent the recurrence of family violence."

13

**SECTION 2.**

14 All laws and parts of laws in conflict with this Act are repealed.