

House Bill 429

By: Representatives Cooper of the 41<sup>st</sup>, Burkhalter of the 50<sup>th</sup>, Golick of the 34<sup>th</sup>, Lunsford of the 110<sup>th</sup>, Maddox of the 172<sup>nd</sup>, and others

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 in family violence situations, so as to provide  
3 protection for family pets; to provide a definition; to provide for related matters; to repeal  
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 19-13-4 of the Official Code of Georgia Annotated, relating to protective  
8 orders and consent agreements in family violence situations, is amended by revising  
9 subsection (a) as follows:

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

- 18 (1) Direct the respondent to refrain from such acts;
- 19 (2) Grant to a party possession of the residence or household of the parties and exclude  
20 the other party from the residence or household;
- 21 (3) Require a party to provide suitable alternate housing for a spouse, former spouse, or  
22 parent and the parties' child or children;
- 23 (4) Award temporary custody of minor children and establish temporary visitation rights;
- 24 (5) Order the eviction of a party from the residence or household and order assistance to  
25 the victim in returning to it, or order assistance in retrieving personal property of the  
26 victim if the respondent's eviction has not been ordered;

- 27 (6) Order either party to make payments for the support of a minor child as required by  
28 law;
- 29 (7) Order either party to make payments for the support of a spouse as required by law;
- 30 (8) Provide for possession of personal property of the parties;
- 31 (9) Order the respondent to refrain from harassing or interfering with the victim;
- 32 (10) Award costs and attorney's fees to either party; ~~and~~
- 33 (11) Order the respondent to receive appropriate psychiatric or psychological services  
34 as a further measure to prevent the recurrence of family violence; and
- 35 (12) Order the respondent to refrain from harassing or harming any family pet and  
36 further direct the care, custody, or control of any family pet. As used in this paragraph,  
37 the term "family pet" means an animal kept for companionship and enjoyment or a  
38 household animal which is owned or possessed by either party, or a minor child residing  
39 in the household of either party, and shall not include livestock, laboratory animals,  
40 working animals, or sport animals which are kept for economic purposes."

41 **SECTION 2.**

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