

MAINE STATE LEGISLATURE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 297, L.D. 401, Bill, "An Act to Continue Protection Under a Protection From Abuse Order"

Amend the bill in section 1 by striking out all of subsection 2 (page 1, lines 6 to 15 in L.D.) and inserting in its place:

'2. **Duration.** Any protective order or approved consent agreement ~~shall be~~ is for a fixed period not to exceed ~~one-year~~ 2 years. At the expiration of that time, the court may extend an order, upon motion of the plaintiff, for such additional time as it ~~deems~~ determines necessary to protect the plaintiff or minor child from abuse. The court may continue the order in effect until the hearing under section 765, subsection 1 on the motion to extend. Upon motion by either party, for sufficient cause, the court may modify the order or agreement from time to time as circumstances require.'

STATEMENT OF FACT

This amendment replaces the bill. It increases the maximum length of time that an initial or subsequent protection from abuse order may be in effect from one year to 2 years. In addition, this amendment authorizes the court to continue the effect of an existing order if the plaintiff has filed a motion to extend the order upon its expiration. The order remains in effect until a hearing is held on the motion to extend, which must be within 21 days of filing the complaint. This allows a cushion of time to find and serve the defendant with notice of the request to extend the order while still protecting the plaintiff.

COMMITTEE AMENDMENT