

DRAFT LANGUAGE

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15 V.S.A. § 1101**§ 1101. Definitions**

The following words as used in this chapter shall have the following meanings:

- (1) "Abuse" means the occurrence of one or more of the following acts between family or household members:
- (A) Attempting to cause or causing physical harm.
 - (B) Placing another in fear of imminent serious physical harm.
 - (C) Abuse to children as defined in 33 V.S.A. chapter 49, subchapter 2.
 - (D) Stalking as defined in 12 V.S.A. § 5131(6).
 - (E) Sexual assault as defined in 12 V.S.A. § 5131(5).
- (2) "Household members" means persons who, for any period of time, are living or have lived together, are sharing or have shared occupancy of a dwelling, are engaged in or have engaged in a sexual relationship, or minors or adults who are dating or who have dated. "Dating" means a social relationship of a romantic nature. Factors that the court may consider when determining whether a dating relationship exists or existed include:
- (A) the nature of the relationship;
 - (B) the length of time the relationship has existed;
 - (C) the frequency of interaction between the parties; and
 - (D) the length of time since the relationship was terminated, if applicable.
- (3) A "foreign abuse prevention order" means any protection order issued by the court of any other state or Canada that contains provisions similar to relief provisions authorized under this chapter, the Vermont Rules for Family Proceedings, 33 V.S.A. chapter 69, or 12 V.S.A. chapter 178.
- (4) "Other statecourt" and "issuing statecourt" shall mean any statecourt other than Vermont and any federally recognized Indian tribe, territory or possession of the United States, the Commonwealth of Puerto Rico, or the District of Columbia, or Canada.
- (5) A "protection order" means any injunction or other order issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person, including temporary and final orders issued by civil and criminal courts, other than support or child custody orders, whether obtained by filing an independent action or as a pendente lite order in another proceeding so long as any civil order was issued in response to a complaint, petition or motion filed by or on behalf of a person seeking protection.

Immunity language from H.413 § 11XX. IMMUNITY