

1 H.547

2 Introduced by Representatives Hango of Berkshire and Ode of Burlington

3 Referred to Committee on

4 Date:

5 Subject: Court procedure; domestic relations; protection orders

6 Statement of purpose of bill as introduced: This bill proposes to recognize
7 sworn statements and military protection orders as evidence when obtaining an
8 order against stalking or sexual assault or a domestic relief from abuse order.

9 An act relating to recognition of military protection orders

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 12 V.S.A. § 5131 is amended to read:

12 § 5131. DEFINITIONS

13 As used in this chapter:

14 * * *

15 (9) “Military protective order” means an order issued against a current
16 member of the U.S. Armed Forces, the Vermont National Guard, or the
17 national guard of another state or territory by a defendant’s commanding
18 officer, on a form prescribed by the United States Department of Defense.

1 Sec. 2. 12 V.S.A. § 5133 is amended to read:

2 § 5133. REQUESTS FOR AN ORDER AGAINST STALKING OR
3 SEXUAL ASSAULT

4 (a) A person, other than a family or household member as defined in 15
5 V.S.A. § 1101(2), may seek an order against stalking or sexual assault on
6 behalf of ~~himself or herself~~ themselves or ~~his or her~~ their children by filing a
7 complaint under this chapter. A minor 16 years of age or older may file a
8 complaint under this chapter seeking relief on ~~his or her~~ their own behalf. The
9 plaintiff shall submit an affidavit in support of the order and may include a
10 submission of written statements sworn before a person authorized pursuant to
11 10 U.S.C. § 936 or 5 U.S.C. § 303 to administer oaths.

12 * * *

13 (m) A military protective order and written statements sworn before a
14 person authorized pursuant to 10 U.S.C. § 936 or 5 U.S.C. § 303 to administer
15 oaths shall be admissible evidence in proceedings under this chapter for the
16 purpose of establishing a relevant pattern or course of conduct.

17 Sec. 3. 15 V.S.A. § 1101 is amended to read:

18 § 1101. DEFINITIONS

19 As used in this chapter:

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