

By: Senator(s) Carlton

To: Judiciary

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2460

1 AN ACT TO PROVIDE FULL FAITH AND CREDIT FOR FOREIGN DOMESTIC  
2 VIOLENCE ORDERS; AND FOR RELATED PURPOSES. BE IT ENACTED BY THE  
3 LEGISLATURE OF THE STATE OF MISSISSIPPI:

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5 SECTION 1. (1) Except as provided by subsection (2), a  
6 protective order from another jurisdiction issued to protect the  
7 applicant from domestic violence as defined in Section 97-3-7,  
8 Mississippi Code of 1972, shall be accorded full faith and credit  
9 by the courts of this state and enforced as if the order were  
10 rendered by the court in this state.

11 (2) A protective order from another jurisdiction is presumed  
12 to be valid if the order appears authentic on its face. The  
13 effective dates of the order shall be enforced as they appear on  
14 the order's face. Where no expiration date appears on the face of  
15 the order, the order shall be deemed to have expired one (1) year  
16 from the date of issuance.

17 (3) It is an affirmative defense in any action seeking  
18 enforcement of a protective order issued in another jurisdiction:

19 (a) That the respondent was not given reasonable notice  
20 and an opportunity to be heard consistent with due process either:

21 (i) Before the date the order was rendered; or

22 (ii) In the case of an ex parte order, within the  
23 time required by the jurisdiction rendering the order after the  
24 date the order was rendered; or

25 (b) That the issuing court lacked jurisdiction to issue  
26 the order.

27 SECTION 2. This act shall take effect and be in force from

28 and after its passage.