

By: Senator(s) Carlton

To: Judiciary

SENATE BILL NO. 2460
(As Passed the Senate)

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.