

BILL SUMMARY
1st Session of the 58th Legislature

Bill No.:	HB1028
Version:	Int
Request Number:	6001
Author:	Kerbs
Date:	2/12/2021
Impact:	Please see previous summary of this measure

Research Analysis

HB 1028 provides that a peace officer making a preliminary investigation make every attempt to serve the subject of a victim protective order, emergency ex parte order, or emergency temporary order and complete a return of service when filing the petition with the court. If unable to obtain service, the petition is to be file with the district court the next business day. The court clerk is to review the petition upon delivery to ensure all documents are accounted for and make sure a return of service is properly attached to the petition. The clerk is to document the hearing date and time assigned to the case. If service has not been obtained, the clerk must still file the petition and issue it to the appropriate sheriff to obtain service with priority. The measure provides that an emergency temporary order is to be effective until the date of the hearing set by the judge. The peace officer requesting the order is to be notified by the judge of the date, time and location of the hearing and the peace officer is to provide the victim and defendant with a copy of the completed order.

Prepared By: Brad Wolgamott

Fiscal Analysis

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

Other Considerations

None.