

## **HB 2774 STAFF MEASURE SUMMARY**

### **House Committee On Judiciary**

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**Meeting Dates:** 2/17

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#### **WHAT THE MEASURE DOES:**

Requires the court, if requested by the petitioner, to issue an order with conditions on parenting time when the petitioner demonstrates they have been a victim of abuse, petitioner faces imminent danger of further abuse, and the respondent poses a credible threat to the physical safety of the petitioner or the petitioner's child, if and the abuse involved the reckless use, display, or brandishing of a firearm. Applies to acts occurring on or after the effective date of this act. These conditions include:

- Ordering child exchanges to occur at a secure location.
- Requiring parenting time to be supervised.
- Mandating the parent who committed the abuse to complete a court-approved intervention or counseling program.
- Prohibiting the parent who committed the abuse from possessing or consuming alcohol or controlled substances for 24 hours before parenting time.
- Prohibiting overnight parenting time.

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

No amendment.

##### **BACKGROUND:**

Under ORS 107.718, if a court finds that the respondent to a petition for a restraining order, represents a credible threat to the physical safety of the petitioner or the petitioner's child, the court shall, if requested by the petitioner, order that temporary custody of the children of the parties be awarded to the petitioner subject to reasonable parenting time rights of the noncustodial parent. Current statutes do not explicitly require additional safety provisions for cases of abuse involving a firearm. House Bill 2774 would require any parenting time authorized by a court order under ORS 107.718, be supervised if the abuse alleged in the petition involved a firearm.