

S.B. 302
Domestic Violence Amendments

Senator **Stephanie Pitcher** proposes the following amendments:

1. *Line 43 through 49:*

43 accordance with the requirements of Section 77-36-2.1.

44 (3) (a) If a law enforcement officer receives complaints of domestic violence offenses
45 from two or more opposing persons, the officer shall evaluate each complaint
46 separately to determine who the predominant aggressor was { in the situation } .

47 (b) If the officer determines that one person was the predominant physical aggressor, the
48 officer need not arrest the other person alleged to have committed [~~domestic violence~~]
49 a domestic violence offense.

2. *Line 79 through 93:*

79 [~~(iii)~~] is a public record as defined in Section 63G-2-103.]

80 [~~(d)~~](b) The incident report shall be made available to the victim, upon request, at no
81 cost.

82 (e) { (e) The law enforcement agency shall forward a copy of the incident report to the
83 appropriate prosecuting attorney within five days after the day on which the
84 complaint of domestic violence occurred. }

85 { (d) If a peace officer did not arrest, or issue a citation to, an individual alleged to have }
86 { committed a domestic violence offense as described in Subsection (2), the law }
87 { enforcement agency shall assign a peace officer to complete the investigation of the }
88 { alleged domestic violence offense within 48 hours after the time at which the call }
89 { regarding the domestic violence offense was made. }

90 { (e) (c) If there is { evidence } probable cause that a domestic violence offense was
91 committed, a law

92 enforcement agency shall submit the appropriate charge for the offense to the
93 prosecuting agency within five business days after the day on which the domestic
violence offense occurs, unless the law enforcement agency has reasonable cause for