

SESSION OF 2023

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2029

As Amended by House Committee on Judiciary

Brief*

HB 2029, as amended, would amend law governing the timeframes for initial protective orders and related extension periods in the Protection from Abuse Act and in the Protection from Stalking, Sexual Assault, or Human Trafficking Act.

Current law allows orders initiated under both acts to remain in effect up to one year, with options to extend such orders for up to one additional year. The bill would change the time period for which initial orders could remain effective to a period of one to five years, and would change the time period for extensions of such orders effective for an additional one to five years.

The bill would also amend a provision in the Protection from Abuse Act requiring the court to extend protective orders for up to the lifetime of the defendant when the court determines a violation has occurred, by lowering the floor of the possible extension period from two additional years to one additional year.

The bill would also make technical changes to ensure consistency in statutory phrasing.

Background

The bill was introduced by the House Committee on Judiciary at the request of Representative Featherston on behalf of the Metropolitan Organization to Counter Sexual

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Assault (MOCSA), Safehome, and the Kansas Coalition Against Sexual & Domestic Violence (KCSDV).

House Committee on Judiciary

In the House Committee hearing on January 24, 2023, two representatives of MOCSA and two representatives of KCSDV testified as **proponents** of the bill, stating that extending the effective periods for protective orders as proposed by the bill would reduce trauma for victims of abuse and promote efficiency within the court system. Written-only proponent testimony was submitted by a representative of the Kansas Association of Chiefs of Police, Kansas Sheriffs Association, and Kansas Peace Officers Association, a representative of the Disability Rights Center of Kansas, and a private citizen. No other testimony was provided.

On February 9, 2023, the House Committee adopted an amendment to lower the floor of all relevant time periods amended by the bill from two years to one year.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Office of Judicial Administration indicates enactment of the bill would have a negligible fiscal effect on Judicial Branch operations.

Protection from Abuse Act; Protection from Stalking, Sexual Assault, or Human Trafficking Act; restraining order; protection order; civil actions