

LEGISLATIVE ALERT

By Eileen M. O'Brien

Several pre-filed bills to be considered during the January 2010 Legislative Session pertain to domestic violence laws. At the time of submission for publication, the following Bills were slated for consideration:¹

- BR 65 – “AN ACT relating to domestic relations and declaring an emergency.

Amend KRS 403.200, relating to temporary orders, to permit a court to provide for wage assignment and automatic electronic transfer of funds for payment of spousal maintenance; amend KRS 403.270, relating to custodial issues, to add the promotion of a healthy relationship between the child and other custodian or parent as a factor for the consideration of awarding custody of children; amend KRS 530.050, relating to nonsupport and flagrant nonsupport, to add spouse and former spouse; EMERGENCY.”²

- BR 133 – “AN ACT relating to dating violence.

Amend KRS 403.720 to include dating partners among the class of persons allowed to obtain domestic violence protective orders; amend KRS 431.005 to reference the definition of ‘unmarried couple’ in KRS 403.720.”²

- BR 145 – “AN ACT relating to dating violence.


Amend KRS 403.720 relating to domestic violence orders to include dating partners among the class of persons allowed to obtain domestic violence protective orders; amend KRS 431.005 relating to arrests by peace officers to reference the definition of ‘unmarried couple’ including

dating partners in KRS 403.720.”²

- BR 251 – “AN ACT relating to the use of global positioning monitoring systems including monitoring-related restrictions and sanctions in domestic violence cases.

Amend KRS 403.720 relating to domestic violence definitions to define ‘global positioning monitoring system’; amend KRS 403.740 relating to emergency protective orders to permit a court to restrain a respondent from going to or near specified locations; amend KRS 403.750 relating to domestic violence orders to permit a court to restrain a respondent from going to or near specified locations; create a new section of KRS Chapter 403 to permit the petitioner in a domestic violence order case to inform the court of places the petitioner does not want the respondent to go into or near; create a new section of KRS Chapter 403 to require the court to assess the respondent’s dangerousness; create a new section of KRS Chapter 403 to permit a court, as part of a domestic violence order, to order a respondent to wear or carry a global monitoring system device and permit a petitioner to carry a device notifying the petitioner that the respondent is nearby; require the court to notify the petitioner of the operation and limitations of global positioning monitoring system devices, and provide a penalty for removing or tampering with the device; create a new section of KRS Chapter 403 to require the Department of Corrections to contract with entities providing global positioning system monitoring services to provide services meeting the

requirements of the statutes; name act the Amanda Ross Domestic Violence Prevention Act.”²

Actions pertaining to proposed legislation during the Legislative Session are reported on the website of the Legislative Research Commission: <http://www.lrc.ky.gov>. The *Bench & Bar* will publish an analysis of any action taken during the 2010 Legislative Session at the conclusion of the session. 

ENDNOTES

1. Summaries of pre-filed bills are from the Legislative Research Commission website, which also contains full text versions of the proposed legislation.
2. At the publication deadline the pre-filed bills had received designated House Bill identification: HB 115/LM/CI (BR 65), HB 25/LM (BR 133), HB 30/LM (BR 145), and HB 1/LM/CI (BR 251).

For more information

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www.lrc.ky.gov



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