

SESSION OF 2002

**CONFERENCE COMMITTEE REPORT
SENATE BILL NO. 474**

As Agreed to May , 2002

Brief*

The Conference Committee agreed to recede from all House amendments and to make certain technical and clarifying amendments.

SB 474 enacts a new Protection from Stalking Act. The bill authorizes victims of stalking to file a petition in district court seeking a protection from stalking order.

Stalking is defined as intentional harassment of another person that places the other person in reasonable fear of that person's safety. Harassment is defined as an intentional course of conduct which is directed at a specific person that seriously alarms, annoys, torments, or terrorizes the person and that serves no legitimate purpose.

A hearing must be held within 20 days of the filing of the petition. The plaintiff must prove by a preponderance of evidence that stalking occurred.

The court shall assess costs against the defendant and may award attorney fees to the victim when a protection from stalking order is issued and may award attorneys fees to the defendant when a court finds a petition seeking a protection from stalking order was without merit.

A protection from stalking order may include an order: restraining the defendant from following, harassing, telephoning, contacting, or communicating with the plaintiff; restraining the defendant from abusing, molesting, or interfering with the privacy rights of the victim; restraining the defendant from entering upon the victim's residence or the immediate vicinity thereof; or ordering or restraining other acts deemed necessary.

*Conference committee summary reports are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree.

The crimes of stalking, criminal trespass, and violation of a protective order, are amended to include violation of the Protection From Stalking Act.