

SESSION OF 2005

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2268**

As Agreed to March 29, 2005

Brief *

HB 2268 would enact the Uniform Interstate Enforcement of Protection Orders Act. The bill would provide for the enforcement of a protection order and relief issued in Kansas, as well as a protection order from another state, *i.e.*, a foreign order.

The bill also provides that any individual may, but is not required, to register a foreign protection order in this state. To register a foreign protection order, an individual shall present a certified copy of the order to the sheriff in the county where the protection order will be enforced. The sheriff shall contact the issuing jurisdiction to verify the order and request that such jurisdiction enter the order, if it has not already been entered, into the National Criminal Information Center and other appropriate databases. A fee shall not be charged for the registration of a foreign protection order. No sheriff's department accepting or registering a foreign protection order may notify or require notification of the party against whom the protection order was filed of its filing or registration unless the individual protected by the protection order requests that the sheriff's department do so and the respondent has not already been notified of such filing or registration.

Other provisions contained in the bill allow for immunity from civil and criminal liability for governmental officials when the conduct was done in good faith to comply with the Act.

The bill will apply to all protective orders issued both before and after July 1, 2005.

*Conference committee report briefs 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 conference committee summary report may be accessed on the Internet at <http://www.kslegislature.org>

Conference Committee Action

The Conference Committee deleted the Senate provisions regarding foreign protective orders and inserted similar provisions that any individual may, but is not required to, register a foreign protection order in this state. To register a foreign protection order, an individual shall present a certified copy of the order to the sheriff in the county where the protection order will be enforced. The sheriff shall contact the issuing jurisdiction to verify the order and request that such jurisdiction enter the order, if it has not already been entered, into the National Criminal Information Center and other appropriate databases. New provisions were inserted that provided that a fee shall not be charged for the registration of a foreign protection order. No sheriff's department accepting or registering a foreign protection order may notify or require notification of the party against whom the protection order was filed of its filing or registration unless the individual protected by the protection order requests that the sheriff's department do so and the respondent has not already been notified of such filing or registration.

Background

A conferee from the Kansas Coalition Against Sexual and Domestic Violence appeared in support of the bill. Support was also offered on behalf of the Kansas Sheriff's Association. Information regarding the effect on the Judicial Branch was presented by a delegate from the Office of Judicial Administration.

The Senate Committee revised procedures for registering foreign protective orders, established a \$30 fee and clarified the bill applies to all protective orders.

The fiscal note indicates there would be no fiscal effect.