

House Research Act Summary

CHAPTER: 223

SESSION: 2012 Regular Session

TOPIC: Harassment restraining orders

Date: April 23, 2012

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Overview

This act makes changes to the harassment restraining order law. A restraining order is a civil order that a person may petition for in district court. Violation of the order may result in criminal penalties.

- 1 Restraining order; court jurisdiction.** Provides that an application for a restraining order may be filed in the county of residence of either party or in the county where the alleged harassment occurred. Provides that there are no residency requirements for filing a petition. The statute does not currently specify where a petition may be filed.
- 2 Filing fee; cost of service.** Expands the filing fee waiver for certain restraining order petitions. Current law provides that the filing fee is waived if the petition alleges acts that would constitute criminal sexual conduct or a gross misdemeanor- or felony-level stalking crime. This section expands the list to include petitions alleging second or subsequent stalking violations or conduct constituting a pattern of stalking. (The civil filing fee is \$310, plus a law library fee.)