

HOUSE RESEARCH

Bill Summary

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Overview

This bill changes the definition of one type of harassment in the harassment restraining order law. Under this definition, harassment includes a single incident or incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect. Current law requires that the conduct merely have an adverse effect and requires more than one incident. The bill also sets limits on hearings and the granting of restraining orders. Finally, the bill strikes language waiving the filing fee in certain cases and provides a \$50 filing fee.

- 1 **Definition.** Current law specifies that one type of harassment includes *repeated* incidents of intrusive or unwanted acts, words, or gestures that are intended to *adversely* effect the safety, security, or privacy of another. This bill provides that a *single* incident that has a *substantial adverse effect*, or which is intended to have such an effect, is required to meet the definition of harassment.
- 2 **Contents of petition; hearing; notice.** Adds a statement in the section regarding hearings and notice that nothing in the section shall be construed as requiring a hearing on a matter that has no merit.
- 3 **Filing fee; cost of service.** Strikes language that would waive the filing fee for a restraining order under this section in certain cases and establishes a \$50 filing fee.
- 4 **Temporary restraining order.** Adds a requirement to the temporary restraining order provision that, when a petition alleges the type of harassment referred to in section 1, the petition must allege an immediate and present danger of harassment before the court may issue a temporary restraining order.
- 5 **Effective date.** August 1, 2000, for proceedings commenced on or after that date.