

# HOUSE RESEARCH

## Bill Summary

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**Subject:** Domestic abuse provisions; no contact orders  
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### Overview

This bill makes various changes to criminal provisions relating to domestic abuse offenses, including: clarifying the definition of a no contact order for purposes of the criminal justice data communications network; creating the crime of tampering with a witness in the third degree; increasing the statutory cap for maximum bail in certain nonfelony domestic abuse cases; and recodifying and amending the domestic abuse no contact order law.

#### Section

- 1**        **OFFPs and no contact orders.** Adds a definition of “no contact order” for purposes of the criminal justice data communications network. The definition is amended to include all no contact orders issued as a condition of pre-trial release in domestic abuse cases under chapter 629. (Under current law, a no contact order in the data network must be accompanied by a photo of the offender.)
- 2-3**      **Tampering with a witness in the third degree.** Creates the crime of tampering with a witness in the third degree. The new provision requires a showing that a defendant’s actions were intentional and by means of intimidation or threat. Cross-references a new misdemeanor penalty in section 3.
- 4**        **Maximum bail; six times fine.** Deletes the current statutory cap for maximum bail set in nonfelony domestic abuse cases and moves them to section 5. (Currently, the maximum cash bail that may be required is six times the highest cash fine that may be imposed.)
- 5**        **Maximum bail; ten times fine.** Creates a new maximum bail provision for nonfelony domestic abuse offenses. Sets the maximum cash bail at ten times the highest cash fine. For misdemeanors and gross misdemeanors, the maximum cash bail would be \$10,000 and \$30,000, respectively.
- 6**        **Definitions.** Conforming change. See section 7.

- 7**        **Domestic abuse no contact orders.** Recodifies and amends the criminal domestic abuse no contact order law (DANCO) which is currently in the civil domestic abuse act (ch. 518B). Adds language that provides that a DANCO is independent of any condition of pretrial release or probation. Conforming changes.
- 8**        **Revisor's instruction.** Directs the Revisor to make corrections in statute and rule based on the recodification of the DANCO law in section 7.
- 9**        **Repealer.** Repeals the current DANCO law. (See section 7).