

File Number: H.F. 1148

Date: February 23, 2017

Version: First engrossment

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Subject: Service of harassment restraining order and short-form notification

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Overview

This bill authorizes all peace officers to complete service of process for procedures related to harassment restraining orders; creating a short-form notification of a restraining order; and allowing corrections officers to serve restraining orders and temporary restraining orders.

Section

- 1** Permits the courts to share data regarding harassment restraining orders through the criminal justice data communications network.
- 2 - 4** Expands the category of individuals authorized to serve process in harassment restraining order procedures exclusively from the county sheriff to all peace officers and expands the prohibition on fees for the service of process to all peace officers.
- 5** **Short-form notification.**
- Para. (a).** Creates a short-form notification to inform a respondent of the existence of a harassment restraining order. The short-form notification form must include the:
- respondent's name;
 - respondent's date of birth, if known;
 - petitioner's name;
 - names of other protected parties;
 - date and county in which the temporary restraining order was filed;
 - court file number;
 - hearing date and time, if known;

Section

- conditions that apply to the respondent; and
- name of the judge who signed the order.

Para. (b). Permits a law enforcement officer to detain a respondent for the time necessary to complete and serve a short-form notification.

Para. (c). Authorizes the use of a law enforcement officer's affidavit to prove proof of service of a short-form notification.

Para. (d). Permits service of a short-form notification at any time.

Para. (e). Requires the BCA to provide the short-form notification form to law enforcement agencies.

Effective date. This section becomes effective 30 days after the Bureau of Criminal Apprehension posts notice that a computer system is available to transmit data on harassment restraining orders from the courts to law enforcement.

- 6** **Service by others.** Allows peace officers, corrections officers including probation agents, court services officers, parole officers, and employees of jail and other correctional facilities to serve temporary restraining orders and restraining orders.