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MEMORANDUM

To: Senate Committee on Judiciary
From: Jason Thompson, Senior Assistant Revisor of Statutes
Date: March 13, 2018
Subject: Bill Brief for HB 2480

HB 2480 changes the definition of “misdemeanor crime of domestic violence” in the Kansas law enforcement training act. The bill amends K.S.A. 74-5602 to define the required relationship to be a dating relationship or a family or household member as defined in the crime of domestic battery, K.S.A. 21-5414.

21-5414. Domestic battery; aggravated domestic battery.

(e) As used in this section:

(1) "Dating relationship" means a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the trier of fact may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship, length of time the relationship existed, frequency of interaction between the parties and time since the termination of the relationship, if applicable;

(2) "family or household member" means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and persons who are presently residing together or who have resided together in the past, and persons who have a child in common regardless of whether they have been married or who have lived together at any time. "Family or household member" also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time;