

## **Restrictions on Electronic Tracking; Timeframes of Protective Orders; SB 217**

**SB 217** amends law regarding the use of electronic tracking systems to target a person's location, movement, or travel patterns and the timeframes of protective orders.

### ***Kansas Criminal Code—Crime of Stalking***

The bill adds to the definition of “course of conduct” in the crime of stalking the following conduct:

- Utilizing any electronic tracking system or acquiring tracking information to determine the targeted person's location, movement, or travel patterns.

### ***Kansas Family Law Code—Permissible Orders After the Filing of a Petition for Divorce, Annulment, or Separate Maintenance Before Action Final***

The bill expands permissible orders related to restraining parties with regard to disposition of property and with regard to molesting or interfering with the privacy or rights of each other to specify these orders cover the conduct of utilizing any electronic tracking system or acquiring tracking information to determine the other person's location, movement, or travel patterns.

### ***Kansas Parentage Act—Court Orders***

The bill specifies a court's power to make and enforce orders related to restraining parties from molesting or interfering with the privacy or rights of each other to include utilizing any electronic tracking system or acquiring tracking information to determine the other person's location, movement, or travel patterns.

### ***Revised Kansas Code for Care of Children—Temporary Custody Orders, Informal Supervision Restraining Orders, and Prohibitions on Authorized Dispositions of Custody***

The bill specifies, for the purposes of sections of law concerning temporary custody orders, informal supervision restraining orders, and prohibitions on authorized dispositions of custody, the terms “harassing or intimidating” and “harass or intimidate” to include, but are not limited to, utilizing any electronic tracking system or acquiring tracking information to determine the targeted person's location, movement, or travel.

### ***Protection From Abuse Act***

The bill specifies restraining orders granted under the Protection From Abuse Act to include restraining the defendant from utilizing any electronic tracking system or acquiring tracking information to determine the other person's location, movement, or travel patterns.

## ***Protection from Stalking, Sexual Assault, or Human Trafficking Act***

The bill specifies, for the purposes of restraining orders granted under the Protection from Stalking, Sexual Assault, or Human Trafficking Act, the terms “harassing” or “interfering with the privacy rights” to include, but are not limited to, utilizing any electronic tracking system or acquiring tracking information to determine the targeted person’s location, movement, or travel patterns.

### ***Timeframes of Protective Orders***

The bill amends law governing the timeframes for initial protective orders and related extension periods in the Protection from Abuse Act and the Protection from Stalking, Sexual Assault, or Human Trafficking Act.

Current law allows orders initiated under both acts to remain in effect up to one year, with options to extend such orders for up to one additional year. The bill changes the time period for which initial orders may remain effective to a period of one to two years and changes the time period for extensions of such orders to be effective for an additional one to three years.

The bill also amends a provision in the Protection from Abuse Act requiring the court to extend protective orders for up to the lifetime of the defendant when the court determines a violation has occurred, by lowering the floor of the possible extension period from two additional years to one additional year.