

403.720 Definitions for KRS 403.715 to 403.785.

As used in KRS 403.715 to 403.785:

- (1) "Domestic animal" means a dog, cat, or other animal that is domesticated and kept as a household pet, but does not include animals normally raised for agricultural or commercial purposes;
- (2) "Domestic violence and abuse" means:
 - (a) Physical injury, serious physical injury, stalking, sexual assault, strangulation, assault, or the infliction of fear of imminent physical injury, serious physical injury, sexual assault, strangulation, or assault between family members or members of an unmarried couple; or
 - (b) Any conduct prohibited by KRS 525.125, 525.130, 525.135, or 525.137, or the infliction of fear of such imminent conduct, taken against a domestic animal when used as a method of coercion, control, punishment, intimidation, or revenge directed against a family member or member of an unmarried couple who has a close bond of affection to the domestic animal;
- (3) "Family member" means a spouse, including a former spouse, a grandparent, a grandchild, a parent, an adult sibling, a child, a stepchild, or any other person living in the same household as a child if the child is the alleged victim;
- (4) "Foreign protective order" means any judgment, decree, or order of protection which is entitled to full faith and credit pursuant to 18 U.S.C. sec. 2265 that was issued on the basis of domestic violence and abuse;
- (5) "Global positioning monitoring system" means a system that electronically determines a person's location through a device worn by the person which does not invade his or her bodily integrity and which transmits the person's latitude and longitude data to a monitoring entity;
- (6) "Member of an unmarried couple" means each member of an unmarried couple which allegedly has a child in common, any children of that couple, or a member of an unmarried couple who are living together or have formerly lived together;
- (7) "Order of protection" means an emergency protective order or a domestic violence order and includes a foreign protective order;
- (8) "Sexual assault" refers to conduct prohibited as any degree of rape, sodomy, or sexual abuse under KRS Chapter 510 or incest under KRS 530.020, or a criminal attempt, conspiracy, facilitation, or solicitation to commit rape, sodomy, sexual abuse, or incest;
- (9) "Strangulation" refers to conduct prohibited by KRS 508.170 and 508.175, or a criminal attempt, conspiracy, facilitation, or solicitation to commit the crime of strangulation; and
- (10) "Substantial violation" means criminal conduct which involves actual or threatened harm to the person, family, or property, including a domestic animal, of an individual protected by an order of protection.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 34, sec. 1, effective June 29, 2023; and ch. 109, sec. 3, effective June 29, 2023. -- Amended 2022 Ky. Acts ch. 158, sec. 1, effective July 14, 2022. -- Amended 2021 Ky. Acts ch. 175, sec. 4, effective April 1, 2021. --

Amended 2019 Ky. Acts ch. 183, sec. 3, effective June 27, 2019. -- Amended 2015 Ky. Acts ch. 102, sec. 2, effective January 1, 2016. -- Amended 2010 Ky. Acts ch. 170, sec. 1, effective July 15, 2010. -- Amended 1992 Ky. Acts ch. 172, sec. 2, effective July 14, 1992. -- Amended 1988 Ky. Acts ch. 258, sec. 4, effective July 15, 1988. -- Created 1984 Ky. Acts ch. 152, sec. 2, effective July 13, 1984.

Legislative Research Commission Note (6/29/2023). This statute was amended by 2023 Ky. Acts chs. 34 and 109, which do not appear to be in conflict and have been codified together.

Legislative Research Commission Note (7/15/2010). 2010 Ky. Acts ch. 170, sec. 20, provides that the amendments made to KRS 15.334, 403.720, 403.735, 403.740, 403.750, 431.005, 431.517, 431.518, 431.520, 533.030, and 533.250 and the creation of KRS 67.372, 67.374, 403.741, 403.743, 403.747, 403.761, 403.762, and 511.085 in that Act shall be known as the "Amanda Ross Domestic Violence Prevention Act."