

AN ACT relating to emergency protective orders.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 403 IS CREATED TO READ AS FOLLOWS:

- (1) A person against whom an emergency protective order has been issued pursuant to KRS 403.740, and against whom the petition was dismissed by the court or against whom no domestic violence order was issued following a hearing pursuant to KRS 403.745, may petition the court in which the petition was filed to expunge all records of the emergency protective order.
- (2) The expungement motion shall be filed no sooner than sixty (60) days following the hearing pursuant to KRS 403.745 or dismissal of the petition by the court.
- (3) (a) If the court finds that there are no current charges or proceedings pending relating to the matter for which the expungement is sought, the court may grant the motion and order the expunging of all records in the custody of the court and any records in the custody of any other agency or official, including law enforcement records.

(b) The court shall order the expunging on a form provided by the Administrative Office of the Courts.

(c) Every agency with records relating to the petition, emergency protective order, or other matters arising out of the petition or emergency protective order that is ordered to expunge records, shall certify to the court within sixty (60) days of the entry of the expungement order that the required expunging action has been completed.

(d) All orders enforcing the expungement procedure shall also be expunged.
- (4) This section shall be retroactive.