

1 AN ACT relating to orders of protection.

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

3 ➔Section 1. KRS 403.763 is amended to read as follows:

- 4 (1) Violation of the terms or conditions of an order of protection after the person has
5 been served or given notice of the order shall constitute contempt of court and a
6 criminal offense under this section. Once a criminal or contempt proceeding has
7 been initiated, the other shall not be undertaken regardless of the outcome of the
8 original proceeding.
- 9 (2) (a) Court proceedings for contempt of court for violation of an order of protection
10 shall be held in the county where the order was issued or filed.
- 11 (b) Court proceedings for a criminal violation of an order of protection shall
12 follow the rules of venue applicable to criminal cases generally.
- 13 (3) Nothing in this section shall preclude the Commonwealth from prosecuting and
14 convicting the respondent of criminal offenses other than violation of an order of
15 protection.
- 16 (4) (a) A person is guilty of a violation of an order of protection when he or she
17 intentionally violates the provisions of an order of protection after the person
18 has been served or given notice of the order.
- 19 (b) A first violation of an order of protection is a Class A misdemeanor.
- 20 (c) A second or subsequent violation of an order of protection within five (5)
21 years is a Class D felony.
- 22 1. The victim in the second or subsequent offense is not required to be
23 the same person who was the victim in the prior offenses in order for
24 the provisions of this section to apply.
- 25 2. The five (5) year period under this paragraph shall be measured from
26 the dates on which the offenses occurred for which the judgments of
27 conviction were entered by a court of competent jurisdiction.

1 ➔Section 2. KRS 456.180 is amended to read as follows:

- 2 (1) Violation of the terms or conditions of an order of protection after the person has
3 been served or given notice of the order shall constitute contempt of court and a
4 criminal offense under this section. Once a criminal or contempt proceeding has
5 been initiated, the other shall not be undertaken regardless of the outcome of the
6 original proceeding.
- 7 (2) (a) Court proceedings for contempt of court for violation of an order of protection
8 shall be held in the county where the order was issued or filed.
- 9 (b) Court proceedings for a criminal violation of an order of protection shall
10 follow the rules of venue applicable to criminal cases generally.
- 11 (3) Nothing in this section shall preclude the Commonwealth from prosecuting and
12 convicting the respondent of criminal offenses other than violation of an order of
13 protection.
- 14 (4) (a) A person is guilty of a violation of an order of protection when he or she
15 intentionally violates the provisions of an interpersonal protective order after
16 the person has been served or given notice of the order.
- 17 (b) A first violation of an order of protection is a Class A misdemeanor.
- 18 (c) A second or subsequent violation of an order of protection within five (5)
19 years is a Class D felony.
- 20 1. The victim in the second or subsequent offense is not required to be
21 the same person who was the victim in the prior offenses in order for
22 the provisions of this section to apply.
- 23 2. The five (5) year period under this paragraph shall be measured from
24 the dates on which the offenses occurred for which the judgments of
25 conviction were entered by a court of competent jurisdiction.