

1 AN ACT relating to interpersonal violence and abuse.

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

3 ➔Section 1. KRS 403.720 is amended to read as follows:

4 As used in KRS 403.715 to 403.785:

- 5 (1) "Domestic animal" means a dog, cat, or other animal that is domesticated and kept
6 as a household pet, but does not include animals normally raised for agricultural or
7 commercial purposes;
- 8 (2) "Domestic violence and abuse" means:
- 9 (a) Physical injury, serious physical injury, stalking, sexual assault, strangulation,
10 assault, or the infliction of fear of imminent physical injury, serious physical
11 injury, sexual assault, strangulation, or assault between family members or
12 members of an unmarried couple;~~[-or]~~
- 13 (b) ***A pattern of physical, sexual, emotional, economic, psychological, or***
14 ***technological actions or threats of actions between family members or***
15 ***members of an unmarried couple that is used by one (1) person to gain or***
16 ***maintain power and control over another, including intimidation,***
17 ***manipulation, humiliation, isolation, and coercion; or***
- 18 ***(c)*** Any conduct prohibited ***under***~~by~~ KRS 525.125, 525.130, 525.135, or
19 525.137, or the infliction of fear of such imminent conduct, taken against a
20 domestic animal when used as a method of coercion, control, punishment,
21 intimidation, or revenge directed against a family member or member of an
22 unmarried couple who has a close bond of affection to the domestic animal;
- 23 (3) "Family member" means a spouse, including a former spouse, a grandparent, a
24 grandchild, a parent, an adult sibling, a child, a stepchild, or any other person living
25 in the same household as a child if the child is the alleged victim;
- 26 (4) "Foreign protective order" means any judgment, decree, or order of protection
27 which is entitled to full faith and credit pursuant to 18 U.S.C. sec. 2265 that was

1 issued on the basis of domestic violence and abuse;

2 (5) "Global positioning monitoring system" means a system that electronically
3 determines a person's location through a device worn by the person which does not
4 invade his or her bodily integrity and which transmits the person's latitude and
5 longitude data to a monitoring entity;

6 (6) "Member of an unmarried couple" means each member of an unmarried couple
7 which allegedly has a child in common, any children of that couple, or a member of
8 an unmarried couple who are living together or have formerly lived together;

9 (7) "Order of protection" means an emergency protective order or a domestic violence
10 order and includes a foreign protective order;

11 (8) "Sexual assault" refers to conduct prohibited as any degree of rape, sodomy, or
12 sexual abuse under KRS Chapter 510 or incest under KRS 530.020, or a criminal
13 attempt, conspiracy, facilitation, or solicitation to commit rape, sodomy, sexual
14 abuse, or incest;

15 (9) "Stalking" refers to conduct prohibited as stalking under KRS 508.140 or
16 508.150, or a criminal attempt, conspiracy, facilitation, or solicitation to commit
17 the crime of stalking;

18 (10) "Strangulation" refers to conduct prohibited under~~by~~ KRS 508.170 or~~and~~
19 508.175, or a criminal attempt, conspiracy, facilitation, or solicitation to commit the
20 crime of strangulation; and

21 (11)~~(10)~~ "Substantial violation" means criminal conduct which involves actual or
22 threatened harm to the person, family, or property, including a domestic animal, of
23 an individual protected by an order of protection.

24 ➔Section 2. KRS 456.010 is amended to read as follows:

25 As used in this chapter:

26 (1) "Dating relationship" means a relationship between individuals who have or have
27 had a relationship of a romantic or intimate nature. It does not include a casual

1 acquaintanceship or ordinary fraternization in a business or social context. The
2 following factors may be considered in addition to any other relevant factors in
3 determining whether the relationship is or was of a romantic or intimate nature:

- 4 (a) Declarations of romantic interest;
- 5 (b) The relationship was characterized by the expectation of affection;
- 6 (c) Attendance at social outings together as a couple;
- 7 (d) The frequency and type of interaction between the persons, including whether
8 the persons have been involved together over time and on a continuous basis
9 during the course of the relationship;
- 10 (e) The length and recency of the relationship; and
- 11 (f) Other indications of a substantial connection that would lead a reasonable
12 person to understand that a dating relationship existed;

13 (2) "Dating violence and abuse" means:

- 14 (a) Physical injury, serious physical injury, stalking, sexual assault, strangulation,
15 or the infliction of fear of imminent physical injury, serious physical injury,
16 sexual abuse, strangulation, or assault occurring between persons who are or
17 have been in a dating relationship;~~or~~

- 18 (b) A pattern of physical, sexual, emotional, economic, psychological, or
19 technological actions or threats of actions between persons who are or have
20 been in a dating relationship that is used by one (1) person to gain or
21 maintain power and control over another, including intimidation,
22 manipulation, humiliation, isolation, and coercion; or

- 23 (c) Any conduct prohibited under~~by~~ KRS 525.125, 525.130, 525.135, or
24 525.137, or the infliction of fear of such imminent conduct, taken against a
25 domestic animal when used as a method of coercion, control, punishment,
26 intimidation, or revenge directed against a person with whom the perpetrator
27 is or has been in a dating relationship, when that person has a close bond of

- 1 affection to the domestic animal;
- 2 (3) "Domestic animal" means a dog, cat, or other animal that is domesticated and kept
3 as a household pet, but does not include animals normally raised for agricultural or
4 commercial purposes;
- 5 (4) "Foreign protective order" means any judgment, decree, or order of protection
6 which is entitled to full faith and credit pursuant to 18 U.S.C. sec. 2265 which was
7 not issued on the basis of domestic violence and abuse;
- 8 (5) "Global positioning monitoring system" means a system that electronically
9 determines a person's location through a device worn by the person which does not
10 invade his or her bodily integrity and which transmits the person's latitude and
11 longitude data to a monitoring entity;
- 12 (6) "Order of protection" means any interpersonal protective order, including those
13 issued on a temporary basis, and includes a foreign protective order;
- 14 (7) "Sexual assault" refers to conduct prohibited as any degree of rape, sodomy, or
15 sexual abuse under KRS Chapter 510 or a criminal attempt, conspiracy, facilitation,
16 or solicitation to commit any degree of rape, sodomy, or sexual abuse, or incest
17 under KRS 530.020;
- 18 (8) "Stalking" refers to conduct prohibited as stalking under KRS 508.140 or 508.150,
19 or a criminal attempt, conspiracy, facilitation, or solicitation to commit the crime of
20 stalking;
- 21 (9) "Strangulation" refers to conduct prohibited under~~by~~ KRS 508.170 or~~and~~
22 508.175, or a criminal attempt, conspiracy, facilitation, or solicitation to commit the
23 crime of strangulation; and
- 24 (10) "Substantial violation" means criminal conduct which involves actual or threatened
25 harm to the person, family, or property, including a domestic animal, of an
26 individual protected by an order of protection.