

## STATEMENT OF PURPOSE

### RS24538C1

This legislation permits a victim of malicious harassment, stalking or telephone harassment, as defined in Idaho law, to file a civil petition in court seeking a protective order on behalf of himself, his children or his ward. The court may grant the petition and issue a protective order if it is shown that such conduct occurred within ninety (90) days immediately preceding the filing of the petition and that such conduct is likely to occur in the future thereby causing irreparable injury. The protective order may not exceed one (1) year and may

- (a) Direct the respondent to refrain from such conduct;
- (b) Order the respondent to refrain from contacting the protected person; and
- (c) Grant such other relief and impose such other restrictions as the court deems proper, including a requirement that the respondent not knowingly remain within a distance of up to 1,500 feet of the protected person.

Other provisions include

- (i) permitting the order to be renewed in one (1) year increments for good cause shown;
- (ii) waiving the court filing fee so Idaho continues to receive federal victim services funding; and
- (iii) making it a misdemeanor to violate a protective order.

### FISCAL NOTE

It is not possible to determine the number of petitions that might be filed and, hence, the fiscal impact to state and local governments including the General Fund. Pertinent factors include:

- Processing petitions by judges and other court personnel;
- Entering orders into the Idaho law enforcement telecommunications data base (ILETS);
- Possible arrests, prosecutions and incarceration for violations of orders; and
- Waiver of the \$166.00 court filing fee.

It is anticipated that costs will be absorbed within existing budgets, although increasing workloads from this and other legislation could, over time, lead to increased budget requests.

#### Contact:

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