

## HOUSE BILL No. 2206

By Committee on Judiciary

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1 AN ACT concerning firearms; enacting the gun violence restraining order  
2 act; amending the protection from abuse act; criminal distribution of  
3 firearms; criminal possession of a firearm; domestic batterers;  
4 amending K.S.A. 2014 Supp. 21-6303 and 60-3107.  
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6 *Be it enacted by the Legislature of the State of Kansas:*

7 New Section 1. (a) Sections 1 through 6 shall be known and may be  
8 cited as the gun violence restraining order act.

9 (b) As used in the gun violence restraining order act:

10 (1) "Gun seizure warrant" means a court order regarding a person  
11 who is subject to a gun violence restraining order and who is known to  
12 own or possess one or more firearms, rifles or shotguns that directs a law  
13 enforcement officer to seize any firearms, rifles or shotguns in the  
14 possession of the person and to bring the unloaded firearms, rifles or  
15 shotguns before the judge issuing the order; and

16 (2) "gun violence restraining order" means a court order prohibiting a  
17 person from purchasing, owning, possessing or controlling a firearm, rifle  
18 or shotgun for a period of up to one year.

19 New Sec. 2. (a) Any person may file a petition with the court setting  
20 forth the facts and circumstances necessitating the issuance of a gun  
21 violence restraining order. The court may prescribe the manner and form  
22 of the petition. A gun violence restraining order shall be issued to prohibit  
23 a person from possessing a firearm, rifle or shotgun if an affidavit, signed  
24 by the petitioner under oath, and any additional information provided to  
25 the court demonstrates to the satisfaction of the court that the person poses  
26 a significant risk of personal injury to himself or others by possessing a  
27 firearm, rifle or shotgun.

28 (b) In determining whether to issue a gun violence restraining order,  
29 the court may examine under oath the petitioner and any witnesses the  
30 petitioner produces. In determining whether grounds for a gun violence  
31 restraining order exists, the court shall consider all of the following:

32 (1) Any recent threat or act of violence by the person directed toward  
33 others;

34 (2) any recent threat or act of violence by the person directed toward  
35 himself;

36 (3) any recent violation of a restraining order; and

1 (4) any conviction for a crime involving a weapon under the Kansas  
2 criminal code.

3 (c) In determining whether grounds for a gun violence restraining  
4 order exists, the court may consider any of the following:

5 (1) The reckless use, display or brandishing of a firearm, rifle or  
6 shotgun by the person;

7 (2) the history of use, attempted use or threatened use of physical  
8 force by the person against another person;

9 (3) any prior arrest of the person for a felony offense;

10 (4) any history of a violation by the person of a protection order  
11 issued under the protection from abuse act, K.S.A. 60-3101 et seq., and  
12 amendments thereto;

13 (5) evidence of recent or ongoing abuse of alcohol or a controlled  
14 substance or controlled substance analog, as such terms are defined in  
15 K.S.A. 2014 Supp. 21-5701, and amendments thereto; or

16 (6) evidence of recent acquisition of a firearm, rifle, shotgun or other  
17 deadly weapon.

18 (d) The affidavit shall set forth the facts establishing the grounds of  
19 the petition or probable cause for believing that such grounds exist. In lieu  
20 of a written affidavit, the court may take an oral statement under oath. If  
21 the court finds that the grounds of the petition exist or that there is  
22 probable cause to believe in its existence, the court shall issue a gun  
23 violence restraining order.

24 (e) A gun violence restraining order shall include:

25 (1) A statement of the grounds asserted for the order;

26 (2) the date and time the order expires;

27 (3) the address of the court for the county in which the restrained  
28 party resides; and

29 (4) a statement to the restrained person stating:

30 (A) The time and date that the order expires;

31 (B) that the person shall not own, possess, purchase or receive or  
32 attempt to purchase or receive a firearm, rifle or shotgun while such order  
33 is in effect;

34 (C) that the person is entitled to submit one written request for a  
35 hearing at any time during the effective period of the order for an order  
36 permitting the person to own, possess, purchase, or receive a firearm, rifle  
37 or shotgun;

38 (D) that the person may seek legal advice from an attorney as to any  
39 matter connected with the order; and

40 (E) that if legal advice is sought, the attorney should be consulted  
41 promptly so that the attorney may assist the person in any matter  
42 connected with the order.

43 (f) When serving a gun violence restraining order, the law

1 enforcement officer shall inform the person that such person may submit  
2 one written request for a hearing pursuant to section 4, and amendments  
3 thereto, at any time during the effective period of the order and provide  
4 such person with a form to request the hearing.

5 New Sec. 3. (a) If there is probable cause to believe that a person who  
6 has been issued a gun violence restraining order possesses or owns a  
7 firearm, rifle or shotgun, the court shall issue a gun seizure warrant to the  
8 appropriate law enforcement officer directing the officer to seize any  
9 specified firearm, rifle or shotgun and to retain such firearm, rifle or  
10 shotgun subject to the order of the court. A gun seizure warrant shall be  
11 issued upon probable cause, supported by an affidavit, naming or  
12 describing with reasonable specificity the facts and circumstances  
13 justifying the court order and listing any firearm, rifle or shotgun to be  
14 seized under the court order. A firearm, rifle or shotgun described in the  
15 gun seizure warrant may be taken from any place or from any person in  
16 whose possession the firearm, rifle or shotgun may be.

17 (b) When a law enforcement officer takes property under a gun  
18 seizure warrant, the officer shall give a receipt for the property taken,  
19 specifying such property in detail, to the person from whom the property  
20 was taken. In the absence of such person, the officer shall leave the receipt  
21 in the place where the property was found. If the location to be searched  
22 during the execution of a gun seizure warrant is jointly occupied by  
23 multiple parties, and a firearm, rifle or shotgun located during the  
24 execution of a gun seizure warrant is owned by a person other than the  
25 person in the gun seizure warrant, the firearm, rifle or shotgun shall not be  
26 seized if such firearm, rifle or shotgun is stored in a manner such that the  
27 person named in the gun seizure warrant does not have access to or control  
28 of the firearm, rifle or shotgun, and there is no evidence of unlawful  
29 possession of the firearm, rifle or shotgun by the owner.

30 (c) If the location to be searched during the execution of a gun seizure  
31 warrant is jointly occupied by multiple parties, and a gun safe owned by a  
32 person other than the person named in the gun seizure warrant is located  
33 therein, the contents of the gun safe shall not be searched, except in the  
34 owner's presence or with the owner's consent, or unless a valid search  
35 warrant has been obtained.

36 New Sec. 4. (a) Except as provided in subsection (c), no later than 14  
37 days after the execution of a gun violence restraining order and a gun  
38 seizure warrant, if applicable, the court that issued the gun violence  
39 restraining order and gun seizure warrant shall hold a hearing to determine  
40 whether the person who is the subject of the order may possess, own,  
41 purchase or receive a firearm, rifle or shotgun and, when applicable,  
42 whether a seized firearm, rifle or shotgun shall be returned to the person  
43 named in the warrant.

1 (b) At the hearing, the state shall have the burden of proving by clear  
2 and convincing evidence that the person poses a significant risk of  
3 personal injury to themselves or others by owning or possessing a firearm,  
4 rifle or shotgun. If, at the hearing, the person is found to pose a significant  
5 risk of personal injury to themselves or others by purchasing, owning,  
6 possessing or controlling a firearm, rifle or shotgun, such firearm, rifle or  
7 shotgun seized under the gun seizure warrant shall be retained by the law  
8 enforcement agency for a period not to exceed one year. The person shall  
9 be prohibited from purchasing, owning, possessing or controlling a  
10 firearm, rifle or shotgun for a period not to exceed one year. If the court  
11 finds that the state has not met the required standard of proof, the firearm,  
12 rifle or shotgun seized under the gun seizure warrant shall be returned to  
13 the person. If the person is prohibited by law from purchasing, owning,  
14 possessing or controlling a firearm, rifle or shotgun for a period of one  
15 year or more by any other provision of state or federal law, a hearing under  
16 this section shall not be required and the court shall issue an order to hold  
17 the firearm, rifle or shotgun until either the person is no longer prohibited  
18 from owning a firearm, rifle or shotgun or the law enforcement agency  
19 disposes of the firearm, rifle or shotgun to a properly licensed federal  
20 firearms dealer. If any other person claims title to a firearm, rifle or  
21 shotgun seized under the gun seizure warrant, the firearm, rifle or shotgun  
22 shall be returned to the lawful owner.

23 (c) A person who is the subject of a court order under this section  
24 may submit one written request at any time during the effective period of  
25 the order for a hearing for an order permitting the person to possess, own,  
26 purchase or receive a firearm, rifle or shotgun. The request shall be  
27 submitted in a form and manner as prescribed by the court.

28 New Sec. 5. (a) If a law enforcement agency has probable cause to  
29 believe that a person subject to a gun violence restraining order continues  
30 to pose a significant risk of personal injury to themselves or others by  
31 purchasing, owning, possessing or controlling a firearm, rifle or shotgun,  
32 the law enforcement agency may initiate a request for a renewal of the  
33 order, setting forth the facts and circumstances necessitating the request.  
34 The request shall be submitted in a form and manner as prescribed by the  
35 court.

36 (b) A hearing held under this section shall be held in the same court  
37 that issued the initial order to determine if a request for renewal of the  
38 order shall be issued. The person named in the gun violence restraining  
39 order shall be given written notice and an opportunity to be heard.

40 (c) The court may, upon its own motion or upon request of another  
41 person, issue a renewal of a gun violence restraining order when there is  
42 probable cause to believe that a person subject to the order continues to  
43 pose a significant risk of personal injury to themselves or others by

1 purchasing, owning, possessing or controlling a firearm, rifle or shotgun  
2 after written notice to the person named in the restraining order and after  
3 the person was given an opportunity for a hearing.

4 New Sec. 6. (a) When a law enforcement officer is at the scene of a  
5 domestic violence incident involving a threat to human life or a physical  
6 assault, is serving a protection from abuse order issued under the  
7 protection from abuse act, K.S.A. 60-3101 et seq., and amendments  
8 thereto, or is serving a gun violence restraining order under the gun  
9 violence restraining order act, section 1 et seq., and amendments thereto,  
10 such officer shall take temporary custody of any firearm or other deadly  
11 weapon in plain sight or discovered under a consensual or other lawful  
12 search as necessary for the protection of the law enforcement officer or  
13 other persons present if the law enforcement officer has probable cause to  
14 believe that an act of domestic violence has occurred.

15 (b) If a firearm or other deadly weapon is removed from the scene  
16 under subsection (a), the law enforcement officer shall:

17 (1) Provide to the owner of the firearm or other deadly weapon  
18 information on the process for retaking possession of the firearm or other  
19 deadly weapon; and

20 (2) provide for the safe storage of the firearm or other deadly weapon  
21 during the pendency of any proceeding related to the alleged act of  
22 domestic violence.

23 (c) Within 14 days of the conclusion of a proceeding on the alleged  
24 act of domestic violence, the owner of the firearm or other deadly weapon  
25 may retake possession of the firearm or other deadly weapon unless  
26 otherwise ordered under law to surrender the firearm or other deadly  
27 weapon.

28 Sec. 7. K.S.A. 2014 Supp. 21-6303 is hereby amended to read as  
29 follows: 21-6303. (a) Criminal distribution of firearms to a felon is  
30 knowingly:

31 (1) Selling, giving or otherwise transferring any firearm to any person  
32 who, within the preceding five years, has been convicted of a felony, other  
33 than those specified in subsection (c), under the laws of this or any other  
34 jurisdiction or has been released from imprisonment for a felony and was  
35 not found to have been in possession of a firearm at the time of the  
36 commission of the felony;

37 (2) selling, giving or otherwise transferring any firearm to any person  
38 who, within the preceding 10 years, has been convicted of a felony to  
39 which this subsection applies, but was not found to have been in  
40 possession of a firearm at the time of the commission of the felony, or has  
41 been released from imprisonment for such a felony, and has not had the  
42 conviction of such felony expunged or been pardoned for such felony; or

43 (3) selling, giving or otherwise transferring any firearm to any person

1 who has been convicted of a felony under the laws of this or any other  
 2 jurisdiction and was found to have been in possession of a firearm at the  
 3 time of the commission of the felony.

4 (b) *Criminal distribution of firearms to a domestic batterer is*  
 5 *knowingly:*

6 (1) *Selling, giving or otherwise transferring any firearm to any*  
 7 *person who, within the preceding five years, has been convicted of*  
 8 *domestic battery pursuant to K.S.A. 21-3412a, prior to its repeal, or*  
 9 *K.S.A. 2014 Supp. 21-5414, and amendments thereto, or a similar law in*  
 10 *any other jurisdiction, or any crime with a domestic violence designation*  
 11 *on the criminal case and the defendant was subject to the provisions of*  
 12 *K.S.A. 2014 Supp. 21-6604(p), and amendments thereto, or has been*  
 13 *released from imprisonment for such crime, and has not had the*  
 14 *conviction of such crime expunged or been pardoned for such crime; or*

15 (2) *selling, giving or otherwise transferring any firearm to any*  
 16 *person who is subject to an unexpired protection from abuse order issued*  
 17 *pursuant to the protection from abuse act, K.S.A. 60-3101 et seq., and*  
 18 *amendments thereto, or a similar law in any other jurisdiction, if such*  
 19 *order was issued after a hearing of which the person received proper*  
 20 *notice and an opportunity to be heard.*

21 (c) (1) Criminal distribution of firearms to a felon is a class A  
 22 nonperson misdemeanor.

23 (2) *Criminal distribution of firearms to a domestic batterer is a class*  
 24 *A nonperson misdemeanor.*

25 ~~(e) (d)~~ Subsection (a)(2) shall apply to a felony under K.S.A. 2014  
 26 Supp. 21-5402, 21-5403, 21-5404, 21-5405, 21-5408, ~~subsection (b) or (d)~~  
 27 ~~of 21-5412(b) or (d), subsection (b) or (d) of 21-5413(b) or (d), subsection~~  
 28 ~~(a) or (b) of 21-5415(a) or (b), subsection (b) of 21-5420(b), 21-5503,~~  
 29 ~~subsection (b) of 21-5504(b), subsection (b) of 21-5505(b), and subsection~~  
 30 ~~(b) of 21-5807(b), and amendments thereto, K.S.A. 2014 Supp. 21-5705 or~~  
 31 ~~21-5706, and amendments thereto, or K.S.A. 21-3401, 21-3402, 21-3403,~~  
 32 ~~21-3404, 21-3410, 21-3411, 21-3414, 21-3415, 21-3419, 21-3420, 21-~~  
 33 ~~3421, 21-3427, 21-3442, 21-3502, 21-3506, 21-3518, 21-3716, 65-4127a,~~  
 34 ~~65-4127b or 65-4160 through 65-4165, prior to their repeal, or a crime~~  
 35 ~~under a law of another jurisdiction which is substantially the same as such~~  
 36 ~~felony.~~

37 ~~(d)~~ (e) It is not a defense that the distributor did not know or have  
 38 reason to know:

39 (1) The precise felony the recipient committed;

40 (2) that the recipient was in possession of a firearm at the time of the  
 41 commission of the recipient's prior felony; ~~or~~

42 (3) that the convictions for such felony have not been expunged or  
 43 pardoned; *or*

1       (4) *that the protection from abuse order had not yet expired or been*  
2 *dismissed by the court.*

3       New Sec. 8. (a) Criminal possession of a firearm by a domestic  
4 batterer is possession of any firearm by a person who:

5       (1) Within the preceding five years, has been convicted of domestic  
6 battery pursuant to K.S.A. 21-3412a, prior to its repeal, or K.S.A. 2014  
7 Supp. 21-5414, and amendments thereto, or a similar law in any other  
8 jurisdiction, or any crime with a domestic violence designation on the  
9 criminal case and the defendant was subject to the provisions of K.S.A.  
10 2014 Supp. 21-6604(p), and amendments thereto, or has been released  
11 from imprisonment for such crime, and has not had the conviction of such  
12 crime expunged or been pardoned for such crime; or

13       (2) is subject to an unexpired protection from abuse order issued  
14 pursuant to the protection from abuse act, K.S.A. 60-3101 et seq., and  
15 amendments thereto, or a similar law in any other jurisdiction, if such  
16 order was issued after a hearing of which the person received proper notice  
17 and an opportunity to be heard.

18       (b) Criminal possession of a firearm by a domestic batterer is a  
19 severity level 8, nonperson felony.

20       (c) This section shall be part of and supplemental to the Kansas  
21 criminal code.

22       Sec. 9. K.S.A. 2014 Supp. 60-3107 is hereby amended to read as  
23 follows: 60-3107. (a) The court may approve any consent agreement to  
24 bring about a cessation of abuse of the plaintiff or minor children or grant  
25 any of the following orders:

26       (1) Restraining the defendant from abusing, molesting or interfering  
27 with the privacy or rights of the plaintiff or of any minor children of the  
28 parties. Such order shall contain a statement that if such order is violated,  
29 such violation may constitute assault as defined in ~~subsection (a) of~~ K.S.A.  
30 2014 Supp. 21-5412(a), and amendments thereto, battery as defined in  
31 ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5413(a), and amendments thereto,  
32 domestic battery as defined in K.S.A. 2014 Supp. 21-5414, and  
33 amendments thereto, and violation of a protective order as defined in  
34 K.S.A. 2014 Supp. 21-5924, and amendments thereto.

35       (2) Granting possession of the residence or household to the plaintiff  
36 to the exclusion of the defendant, and further restraining the defendant  
37 from entering or remaining upon or in such residence or household,  
38 subject to the limitation of subsection (d). Such order shall contain a  
39 statement that if such order is violated, such violation shall constitute  
40 criminal trespass as defined in ~~subsection (a)(1)(C) of~~ K.S.A. 2014 Supp.  
41 21-5808(a)(1)(C), and amendments thereto, and violation of a protective  
42 order as defined in K.S.A. 2014 Supp. 21-5924, and amendments thereto.  
43 The court may grant an order, which shall expire 60 days following the

1 date of issuance, restraining the defendant from cancelling utility service  
2 to the residence or household.

3 (3) Requiring defendant to provide suitable, alternate housing for the  
4 plaintiff and any minor children of the parties.

5 (4) Awarding temporary custody and residency and establishing  
6 temporary parenting time with regard to minor children.

7 (5) Ordering a law enforcement officer to evict the defendant from  
8 the residence or household.

9 (6) Ordering support payments by a party for the support of a party's  
10 minor child, if the party is the father or mother of the child, or the plaintiff,  
11 if the plaintiff is married to the defendant. Such support orders shall  
12 remain in effect until modified or dismissed by the court or until expiration  
13 and shall be for a fixed period of time not to exceed one year. On the  
14 motion of the plaintiff, the court may extend the effect of such order for 12  
15 months.

16 (7) Awarding costs and attorney fees to either party.

17 (8) Making provision for the possession of personal property of the  
18 parties and ordering a law enforcement officer to assist in securing  
19 possession of that property, if necessary.

20 (9) Requiring any person against whom an order is issued to seek  
21 counseling to aid in the cessation of abuse.

22 (10) Ordering or restraining any other acts deemed necessary to  
23 promote the safety of the plaintiff or of any minor children of the parties.

24 (b) No protection from abuse order shall be entered against the  
25 plaintiff unless:

26 (1) The defendant properly files a written cross or counter petition  
27 seeking such a protection order;

28 (2) the plaintiff had reasonable notice of the written cross or counter  
29 petition by personal service as provided in ~~subsection (d)~~ of K.S.A. 60-  
30 3104(d), and amendments thereto; and

31 (3) the issuing court made specific findings of abuse against both the  
32 plaintiff and the defendant and determined that both parties acted primarily  
33 as aggressors and neither party acted primarily in self-defense.

34 (c) Any order entered under the protection from abuse act shall not be  
35 subject to modification on ex parte application or on motion for temporary  
36 orders in any action filed pursuant to K.S.A. 60-1601 et seq., prior to their  
37 transfer or repeal, or article 22 or 27 of chapter 23 of the Kansas Statutes  
38 Annotated, and amendments thereto, or K.S.A. 38-1101 et seq., and  
39 amendments thereto. Orders previously issued in an action filed pursuant  
40 to K.S.A. 60-1601 et seq., prior to their transfer or repeal, or article 22 or  
41 27 of chapter 23 of the Kansas Statutes Annotated, and amendments  
42 thereto, or K.S.A. 38-1101 et seq., and amendments thereto, shall be  
43 subject to modification under the protection from abuse act only as to

1 those matters subject to modification by the terms of K.S.A. 2014 Supp.  
2 23-3201 through 23-3207 and 23-3218 and article 27 of chapter 23 of the  
3 Kansas Statutes Annotated, and amendments thereto, and on sworn  
4 testimony to support a showing of good cause. Immediate and present  
5 danger of abuse to the plaintiff or minor children shall constitute good  
6 cause. If an action is filed pursuant to K.S.A. 2014 Supp. 23-3201 through  
7 23-3207 or 23-3218 or article 22 or 27 of chapter 23 of the Kansas Statutes  
8 Annotated, and amendments thereto, during the pendency of a proceeding  
9 filed under the protection from abuse act or while an order issued under  
10 the protection from abuse act is in effect, the court, on final hearing or on  
11 agreement of the parties, may issue final orders authorized by K.S.A. 2014  
12 Supp. 23-3201 through 23-3207 and 23-3218 and articles 22 and 27 of  
13 chapter 23 of the Kansas Statutes Annotated, and amendments thereto, that  
14 are inconsistent with orders entered under the protection from abuse act.  
15 Any inconsistent order entered pursuant to this subsection shall be specific  
16 in its terms, reference the protection from abuse order and parts thereof  
17 being modified and a copy thereof shall be filed in both actions. The court  
18 shall consider whether the actions should be consolidated in accordance  
19 with K.S.A. 60-242, and amendments thereto. Any custody or parenting  
20 time order, or order relating to the best interests of a child, issued pursuant  
21 to the revised Kansas code for care of children or the revised Kansas  
22 juvenile justice code, shall be binding and shall take precedence over any  
23 such custody or parenting order involving the same child issued under the  
24 protection from abuse act, until jurisdiction under the revised Kansas code  
25 for care of children or the revised Kansas juvenile justice code is  
26 terminated. Any inconsistent custody or parenting order issued in the  
27 revised Kansas code for care of children case or the revised Kansas  
28 juvenile justice code case shall be specific in its terms, reference any  
29 preexisting protection from abuse order and the custody being modified,  
30 and a copy of such order shall be filed in the preexisting protection from  
31 abuse case.

32 (d) If the parties to an action under the protection from abuse act are  
33 not married to each other and one party owns the residence or household,  
34 the court shall not have the authority to grant possession of the residence  
35 or household under subsection (a)(2) to the exclusion of the party who  
36 owns it.

37 (e) Subject to the provisions of subsections (b), (c) and (d), a  
38 protective order or approved consent agreement shall remain in effect until  
39 modified or dismissed by the court and shall be for a fixed period of time  
40 not to exceed one year, except as provided in subsection (e)(1) and (e)(2).

41 (1) Upon motion of the plaintiff, such period may be extended for one  
42 additional year.

43 (2) Upon verified motion of the plaintiff and after the defendant has

1 been personally served with a copy of the motion and has had an  
2 opportunity to present evidence and cross-examine witnesses at a hearing  
3 on the motion, if the court determines by a preponderance of the evidence  
4 that the defendant has violated a valid protection order or (A) has  
5 previously violated a valid protection order, or (B) has been convicted of a  
6 person felony or any conspiracy, criminal solicitation or attempt thereof,  
7 under the laws of Kansas or the laws of any other jurisdiction which are  
8 substantially similar to such person felony, committed against the plaintiff  
9 or any member of the plaintiff's household, the court shall extend a  
10 protective order for not less than two additional years and may extend the  
11 protective order up to the lifetime of the defendant. No service fee shall be  
12 required for a motion filed pursuant to this subsection.

13 (f) The court may amend its order or agreement at any time upon  
14 motion filed by either party.

15 (g) *Any order entered under the protection from abuse act shall*  
16 *include notice to the defendant that section 2, and amendments thereto,*  
17 *prohibits the defendant from possession of a firearm for the duration of the*  
18 *protective order.*

19 ~~(g)~~ (h) No order or agreement under the protection from abuse act  
20 shall in any manner affect title to any real property.

21 ~~(h)~~ (i) If a person enters or remains on premises or property violating  
22 an order issued pursuant to subsection (a)(2), such violation shall  
23 constitute criminal trespass as defined in ~~subsection (a)(1)(C) of~~ K.S.A.  
24 2014 Supp. 21-5808(a)(1)(C), and amendments thereto, and violation of a  
25 protective order as defined in K.S.A. 2014 Supp. 21-5924, and  
26 amendments thereto. If a person abuses, molests or interferes with the  
27 privacy or rights of another violating an order issued pursuant to  
28 subsection (a)(1), such violation may constitute assault as defined in  
29 ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5412(a), and amendments thereto,  
30 battery as defined in ~~subsection (a) of~~ K.S.A. 2014 Supp. 21-5413(a), and  
31 amendments thereto, domestic battery as defined in K.S.A. 2014 Supp. 21-  
32 5414, and amendments thereto, and violation of a protective order as  
33 defined in K.S.A. 2014 Supp. 21-5924, and amendments thereto.

34 Sec. 10. K.S.A. 2014 Supp. 21-6303 and 60-3107 are hereby  
35 repealed.

36 Sec. 11. This act shall take effect and be in force from and after its  
37 publication in the statute book.