



EQUALITY ♦ LAW ♦ JUSTICE

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Proponent for HB 2029
House Judiciary Committee
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Chair Patton and members of the Committee:

My name is Mike Burgess. I am the Director of Policy & Outreach at the Disability Rights Center of Kansas (DRC). DRC is a public interest legal advocacy organization that is part of a national network of federally mandated organizations empowered to advocate for Kansans with disabilities. DRC is officially designated by the State of Kansas as Kansas' protection and advocacy system. DRC is a private, 501(c)(3) nonprofit corporation, organizationally independent of state government and whose focus is the protection and enhancement of the rights of Kansans with disabilities.

I am here today to share our support for HB2029, but want to suggest a couple of minor technical changes to the bill. This bill makes changes that modify the PFA (Protection from Abuse) and PFS (Protection from Stalking) statutes. Under current law, a judge can grant a single one year extension.

The bill will extend those to not less than two years and not more than five years. We are supportive of this change, however there are some situations when five years is not long enough. To remedy this, it would be helpful to give judges the authority to grant additional extensions if good cause is shown by the plaintiff.

Our suggestions that follow would add language that would give the court discretion to grant successive extensions so long as there is good cause for an extension.

On page 3 line 32, we propose to change the language to the following:

(e)(1) Upon motion of the plaintiff, such period may be extended for ~~one~~ *an additional year period of not less than two years and not more than five years*; **successive extensions of up to five years may be granted if good cause is shown by the plaintiff.**

The bill also proposes changes to the Protection from Stalking act on page 4 line 25 amending K.S.A. 60-31a06. It has a similar provision for initial final PFS orders and a similar provision for extensions of the final PFA order by making changes to page 5 line 28 thru 32. These changes make the orders longer making them be in effect for at least 2 years (where it used to be one year). This is a good change.

On page 5 lines 33 thru 35 (subsection (c)), it allows the court to extend the PFS for two years and up to five years; again, our suggestion is to not limit it to five years, but to add language to give the court discretion to grant successive extensions by adding additional language similar to what we suggested earlier for the PFS statute on page 3.

The change would be to add language on page 5 line 35 in subsection (c) would be to add the following:

(c) Upon motion of the plaintiff the court may extend the order for an additional ~~year~~ *period of not less than two years and not more than five years*; **successive extensions of up to five years may be granted if good cause is shown by the plaintiff.**

Thank you for the opportunity to share our support of HB2029 and for considering our proposed changes.