

BILL SUMMARY
2nd Session of the 58th Legislature

Bill No.:	HB3286
Version:	Int
Request Number:	8744
Author:	Humphrey and Rosecrants
Date:	2/28/2022
Impact:	Please see previous summary of this measure

Research Analysis

HB 3286 increases the penalty for stalking from a misdemeanor to a felony and increases the punishment from 1 year to up to 3 years imprisonment and increases the fine from \$1,000 to a fine of up to \$5,000. The measure creates a second offense to be punished by a term of imprisonment not to exceed 6 years, a fine of up to \$10,000 or both fine and imprisonment. A third or subsequent offense is punishable by a term of imprisonment for not more than 12 years, a fine of up to \$15,000 or both fine and imprisonment. The measure increases the punishment for a second offense within 10 years of the previous offense when a protective order was in place by increasing the term of imprisonment from up to 5 years to a term of not more than 15 years and increases the fine amount from not less than \$2,500 to a fine of up to \$20,000. The measure increases the penalty for stalking within ten years of the completion of a prior conviction by increasing the term of imprisonment from not more than 10 years to a term not to exceed 25 years and increases the fine from not less than \$5,000 to not to exceed \$30,000. The measure modifies the definition of "course of conduct" as used in determining the crime of stalking. The measure allows a protective order to be continuous in nature if the victim provides proof to the court that a continuous protective order is necessary for protection. The measure requires every ex parte or final protective order to be entered into the National Crime Information Center database. The measure prohibits a person subject to a protective order from committing certain acts.

Prepared By: Brad Wolgamott

Fiscal Analysis

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

Other Considerations

None.