

Committee on Judiciary

CS/CS/CS/SB 342 — No Contact Orders

by Rules Committee; Criminal Justice Committee; Judiciary Committee; and Senator Simmons

The bill defines what is meant by an order of no contact in a court order granting the pretrial release of a criminal defendant. An order of no contact directs a defendant to have no contact with a victim. The bill provides that orders of no contact are immediately effective and enforceable through the duration of the pretrial release or until the order is modified by the court.

Under the bill, unless the court specifies otherwise, a defendant who is ordered to have “no contact” may not:

- Communicate orally or in writing with the victim in any manner, in person, telephonically, or electronically directly or through a third person, with limited exceptions provided to facilitate parental visitation through a third person or through an attorney for lawful purposes;
- Have physical or violent contact with the victim or other person named in a court order, or his or her property;
- Be within 500 feet of the victim’s or other identified person’s residence, even if the defendant shares the residence; and
- Be within 500 feet of the victim’s or other identified person’s vehicle, place of employment, or a place specified in the order as regularly frequented by the person.

The defendant must receive a copy of the order of no contact before he or she is released from custody on pretrial release.

If approved by the Governor, these provisions take effect October 1, 2015.

Vote: Senate 37-0; House 112-0