

508.130 Definitions for KRS 508.130 to 508.150.

As used in KRS 508.130 to 508.150, unless the context requires otherwise:

- (1) (a) To "stalk" means to engage in an intentional course of conduct:
 - 1. Directed at a specific person or persons;
 - 2. Which seriously alarms, annoys, intimidates, or harasses the person or persons; and
 - 3. Which serves no legitimate purpose.
- (b) The course of conduct shall be that which would cause a reasonable person to suffer substantial mental distress.
- (2) "Course of conduct" means a pattern of conduct composed of two (2) or more acts, evidencing a continuity of purpose. One (1) or more of these acts may include the use of any equipment, instrument, machine, or other device by which communication or information is transmitted, including computers, the Internet or other electronic network, cameras or other recording devices, telephones or other personal communications devices, scanners or other copying devices, and any device that enables the use of a transmitting device. Constitutionally protected activity is not included within the meaning of "course of conduct." If the defendant claims that he was engaged in constitutionally protected activity, the court shall determine the validity of that claim as a matter of law and, if found valid, shall exclude that activity from evidence.
- (3) "Protective order" means:
 - (a) An emergency protective order or domestic violence order issued under KRS 403.715 to 403.785;
 - (b) A foreign protective order, as defined in KRS 403.7521(1);
 - (c) An order issued under KRS 431.064;
 - (d) A restraining order issued in accordance with KRS 508.155; and
 - (e) Any condition of a bond, conditional release, probation, parole, or pretrial diversion order designed to protect the victim from the offender.

Effective: June 25, 2009

History: Amended 2009 Ky. Acts ch. 100, sec. 2, effective June 25, 2009. -- Amended 2002 Ky. Acts ch. 119, sec. 1, effective July 15, 2002. -- Amended 2000 Ky. Acts ch. 401, sec. 13, effective July 14, 2000. -- Created 1992 Ky. Acts ch. 443, sec. 1, effective July 14, 1992.