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## DIGEST

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HB 207 Engrossed

2018 Regular Session

Bagley

**Abstract:** Requires those who serve certain temporary protective orders and protective orders to transmit proof of service into the Louisiana Protective Order Registry.

Present law requires a sheriff, or a private person, after serving citation or other process, to return a copy to the clerk of court who issued the citation or process.

Proposed law requires that when the citation or other process is an enumerated temporary restraining order or protective order, the sheriff or private person shall transmit proof of service to the Judicial Administrator's Office for entry into the Louisiana Protective Order Registry by the end of the next business day after making service, exclusive of weekends and holidays. The proof of service shall include, at a minimum, the case caption, docket number, type of order, serving agency and officer, and the date and time service was made.

Present law requires a law enforcement officer serving a previously issued temporary restraining order or ex parte protective order to note service in the police report in order to be deemed sufficient evidence of service of process.

Proposed law adds to present law and requires the law enforcement officer to transmit proof of service to the Judicial Administrator's Office for entry into the Louisiana Protective Order Registry by the end of the next business day after making service, exclusive of weekends and holidays. The proof of service shall include, at a minimum, the case caption, docket number, type of order, serving agency and officer, and the date and time service was made.

(Amends C.C.P. Art. 1292, R.S. 14:79(A)(1)(b) and R.S. 46:2136.2(A); Adds C.C.P. Art. 1293(D))

### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Require the proof of service to be transmitted by the end of the next business day after making service, exclusive of weekends and holidays, rather than within 24 hours of making service.
2. Remove the requirement that the La. Protective Order Registry develop a form for the proof of service, but retain the requirement that the proof include at least the case

caption, docket number, type of order, serving agency and officer, and the date and time service was made.