

2018 Regular Session

HOUSE BILL NO. 773

BY REPRESENTATIVE LYONS

1 AN ACT

2 To amend and reenact R.S. 46:2136(A)(4), relative to protective orders and consent
3 agreements issued in domestic abuse cases; to provide for a mental health evaluation
4 of a perpetrator of domestic abuse; to remove the authority of the court to order a
5 medical evaluation or counseling of an abused person; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 46:2136(A)(4) is hereby amended and reenacted to read as follows:

9 §2136. Protective orders; content; modification; service

10 A. The court may grant any protective order or approve any consent
11 agreement to bring about a cessation of domestic abuse as defined in R.S. 46:2132,
12 or the threat or danger thereof, to a party, any minor children, or any person alleged
13 to be incompetent, which relief may include but is not limited to:

14 * * *

15 (4)(a) Ordering ~~an additional~~ either a medical or mental health opinion
16 ~~regarding a medical evaluation or both~~ of the ~~defendant or the abused person, or~~
17 ~~both, perpetrator~~ to be conducted by an independent court-appointed evaluator who
18 qualifies as an expert in the field of domestic abuse. The evaluation shall be
19 conducted by a person who has no family, financial, or prior medical or mental
20 health relationship with the ~~defendant perpetrator or abused person, or their attorneys~~
21 his attorney of record.

