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DIGEST

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SB 255 Engrossed

2022 Regular Session

Barrow

Present law provides that all court costs and fees incurred in maintaining or defending any proceeding concerning domestic abuse assistance in juvenile, family, and civil courts are to be paid by the perpetrator of the domestic violence, including all costs of medical and psychological care for the abused adult, or for any of the children, necessitated by the domestic violence.

Proposed law retains present law.

Present law provides that if the court determines that a petition in a domestic abuse case was frivolous, the court may order the nonprevailing party to pay all court costs and reasonable attorney fees of the other party.

Proposed law retains present law and adds that for purposes of present law, provides that failure to appear at a hearing on the petition for a protective order shall not on its own constitute grounds for assessing court costs and fees against the petitioner.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends Ch.C. Art. 1570.1 and R.S. 46:2136.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Makes technical changes.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the engrossed bill:

1. Remove the definition of "frivolous claim".
2. Provide that the failure to appear on its own is not grounds to assess costs or fees.