HOUSE COMMITTEE AMENDMENTS

2018 Regular Session

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 100 by Representative White

AMENDMENT NO. 1

On page 1, line 13, after "that" and before "action" delete "any" and insert "an"

AMENDMENT NO. 2

On page 2, delete lines 2 through 9 and insert the following:

"The obligation for attorney fees and costs incurred by the perpetrator of abuse or awarded against him in an action for divorce granted pursuant to Article 103(4) or (5) or in an action in which the court determines that a spouse or a child of one of the spouses was the victim of domestic abuse committed by the perpetrator during the marriage, and in incidental actions, ~~thereafter against the perpetrator of abuse, which~~ shall be a separate obligation of the perpetrator.

Revision Comments - 2018

R.S. 9:314 authorizes a court to exercise its discretion to assess attorney fees and costs against the perpetrator of domestic abuse in divorce and incidental actions. Paragraph B of this Article makes the obligation to pay any fees or costs assessed under R.S. 9:314 a separate obligation of the perpetrator of domestic abuse. It also makes the obligation incurred by the perpetrator to pay his own attorney fees and costs the perpetrator's separate obligation."

AMENDMENT NO. 3

On page 2, line 24, after "assess" and before "all" insert "against the perpetrator of domestic abuse"

AMENDMENT NO. 4

On page 2, at the end of line 26, delete "when" and insert "in an action in which"

AMENDMENT NO. 5

On page 2, delete line 28 in its entirety and insert the following:

"victim of domestic abuse committed by the perpetrator during the marriage, and in"

AMENDMENT NO. 6

On page 3, line 5, change "detailing" to "listing"

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.