

2018 Regular Session

HOUSE BILL NO. 813

BY REPRESENTATIVE GARY CARTER

FAMILY VIOLENCE: Provides relative to actions filed under the Protection from Stalking Act

1 AN ACT

2 To amend and reenact R.S. 46:2171.1, relative to the jurisdiction of suits filed pursuant to
3 the Protection from Stalking Act; to provide for a court of competent jurisdiction; to
4 provide for referrals; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 46:2171.1 is hereby amended and reenacted to read as follows:

7 §2171.1. Jurisdiction; referral

8 A. Any district, parish, or municipal court in the state of Louisiana which is
9 empowered to hear civil matters shall have jurisdiction over proceedings appropriate
10 to it under this Chapter.

11 B. If during a proceeding filed pursuant to the provisions of this Chapter, a
12 district court is presented with facts that it considers more appropriate for
13 consideration in a parish or municipal court, the court may order the referral of the
14 case to a parish or municipal court of competent jurisdiction and proper venue. The
15 parish or municipal court shall proceed to hear the matter in the same manner as if
16 it had been filed originally in the parish or municipal court.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 813 Original

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Abstract: Allows suits filed in district court seeking protections from stalking to be referred to municipal and parish courts.

Present law provides that any district court which is empowered to hear civil matters shall have jurisdiction over proceedings seeking protections available in cases dealing with stalking and cyberstalking. Proposed law further grants jurisdiction over such cases to parish and municipal courts.

Proposed law provides that if during such a proceeding a district court is presented with facts that it considers more appropriate for consideration in a parish or municipal court, the court may order the referral of the case to a parish or municipal court.

(Amends R.S. 46:2171.1)