
DIGEST

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HB 32 Engrossed

2019 Regular Session

Thomas

Abstract: Adds an additional exception to the spousal communications privilege when the communication is made in furtherance of or while participating in a crime or civil wrong or a conspiracy thereto.

Present law provides that each spouse has a privilege during and after marriage to refuse to disclose, and to prevent the other spouse from disclosing, confidential communications while they were husband and wife.

Present law provides that the confidential communications privilege does not apply to the following:

- (1) In criminal cases when one spouse is charged with a crime against the person or property of the other spouse or of a child of either spouse.
- (2) In civil cases brought by or on behalf of one spouse against the other spouse.
- (3) In commitment or interdiction proceedings.
- (4) When the communication is to protect or vindicate the rights of a minor child of either spouse.
- (5) In cases otherwise provided by legislation.

Proposed law adds an additional exception to the present law exceptions when the spousal communication is made in furtherance of or while participating in a crime or civil wrong or a conspiracy thereto.

(Amends C.E. Art. 504(C)(5); Adds C.E. Art. 504(C)(6))