

2026 Regular Session

HOUSE BILL NO. 231

BY REPRESENTATIVE BOYER

CRIME: Creates the crime of intentional evasion of service of process for certain court orders

1 AN ACT

2 To enact R.S. 14:79(I), relative to temporary restraining orders and protective orders; to
3 establish criminal penalties for the intentional evasion of service of process of certain
4 court orders; to identify the types of orders that are subject to criminal prosecution;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:79(I) is hereby enacted to read as follows:

8 §79. Violation of protective orders

9 * * *

10 I. It is a violation of this Section for any person to intentionally evade service
11 of process of any lawful order of the court issued pursuant to R.S. 9:361 et seq., R.S.
12 9:372, R.S. 28:53.2, R.S. 46:2131 et seq., R.S. 46:2151, R.S. 46:2181 et seq.,
13 Children's Code Articles 1564 et seq., Code of Civil Procedure Articles 3601 or
14 3607.1, or Code of Criminal Procedure Articles 30, 320, or 871.1.

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 231 Original

2026 Regular Session

Boyer

Abstract: Creates the crime of intentional evasion of service of process for certain court orders.

Proposed law provides that a person may be found criminally liable for intentionally evading service of process for certain lawful orders issued by a court enumerated in the following present law.

Present law (R.S. 9:361 et seq.) authorizes the court to grant an injunction prohibiting a spouse from physically or sexually abusing the other spouse or a child of either party after a divorce or legal separation.

Present law (R.S. 9:372) authorizes the court to grant an injunction prohibiting a spouse from physically or sexually abusing the other spouse or a child of either party during a divorce proceeding.

Present law (R.S. 28:53.2) provides for the issuance of a protective order for an individual who is a danger to himself, a danger to others, or is gravely disabled due to mental illness or addiction to a substance.

Present law (R.S. 46:2131 et seq.) authorizes the court to grant a temporary restraining order or protective order to prevent domestic abuse.

Present law (R.S. 46:2151) authorizes the court to grant a temporary restraining order or protective order to prevent abuse between dating partners.

Present law (Ch.C. Arts. 1564 et seq.) provides a civil remedy for domestic violence in the home and establishes procedures for the court to grant a temporary protective order to prevent domestic violence.

Present law (C.C.P. Art. 3601) establishes the procedure for obtaining a temporary restraining order.

Present law (C.C.P. Art. 3607.1) establishes the procedure for registering a temporary restraining order.

Present law (C.Cr.P. Art. 30) provides for the issuance of a Uniform Abuse Prevention Order in connection with a peace bond, if the peace bond was used for the purpose of preventing domestic abuse.

Present law (C.Cr.P. Art. 320) provides for the issuance of a Uniform Abuse Prevention Order in connection with determining the conditions of release of a defendant who is alleged to have committed a domestic offense, stalking, or a sex offense against a member of his immediate family.

Present law (C.Cr.P. Art. 871.1) provides for the issuance of a Uniform Abuse Prevention Order in connection with a sentence that contains an order for the purpose of preventing violent or threatening acts or harassment against, contact or communication with, or physical proximity to, another person in order to prevent domestic abuse or dating violence.

(Adds R.S. 14:79(I))