

2026 Regular Session

HOUSE BILL NO. 297

BY REPRESENTATIVE MANDIE LANDRY

LEASES: Expands early lease termination to include stalking and cyberstalking

1 AN ACT

2 To amend and reenact R.S. 9:3261.1(B)(2) and (6), (E)(introductory paragraph) and (2), and
3 (H), relative to leases; to expand lease termination to include stalking and
4 cyberstalking; to provide for definitions; to provide for procedures, conditions, and
5 requirements; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 9:3261.1(B)(2) and (6), (E)(introductory paragraph) and (2), and (H)
8 are hereby amended and reenacted to read as follows:

9 §3261.1. Lease agreements for certain residential dwellings; domestic abuse
10 victims; stalking and cyberstalking

11 * * *

12 B. Definitions

13 * * *

14 (2) "Domestic abuse" means domestic abuse battery as defined in R.S.
15 14:35.3 provided that the domestic abuse was committed on the leased premises or
16 stalking or cyberstalking as defined in R.S. 14:40.2 and 14:40.3.

17 * * *

18 (6) "Qualified third party" means the executive director, program director,
19 or another employee of a community-based shelter contracted with the Department
20 of Children and Family Services pursuant to R.S. 46:2124, provided the employee
21 is a Licensed Clinical Social Worker (LCSW), ~~or possesses a masters degree in~~
22 ~~Social Work (MSW)~~ a licensed professional counselor, prosecuting attorney, or
23 investigating law enforcement officer who has personal involvement in the

1 investigation or prosecution of any criminal case relative to the domestic abuse or
2 stalking or cyberstalking.

3 * * *

4 E. Only a lessee or a household member of the lessee's residential dwelling
5 unit may be considered a domestic abuse victim such that the lessee may request an
6 accommodation ~~under~~ pursuant to this Section. In order for a lessee to receive an
7 early termination as provided in this Section, the lessee shall do all of the following:

8 * * *

9 (2) Provide to the lessor reasonable documentation that the lessee seeking
10 an accommodation, or that lessee's household member, was a victim of an act of
11 domestic abuse on the leased premises within the past thirty days. If the stalking or
12 cyberstalking did not occur on the leased premises, the lessee shall provide a written
13 declaration on why residing on the leased premises may pose a threat to the victim's
14 safety as provided by the certification in Subsection H of this Section.

15 * * *

16 H. A Certification of Domestic Abuse form as provided for in this Section
17 shall read substantially the same as follows:

18 (Name of qualified third party and, if applicable, the name of their shelter,
19 office, or agency)

20 I and/or my (family or household member) have suffered domestic abuse as
21 defined in R.S. 9:3261.1 or stalking or cyberstalking as defined in R.S.14:40.2 and
22 R.S. 14:40.3.

23 Briefly describe the incident giving rise to the claim of domestic abuse:

24 The incident(s) that I rely on in support of this declaration occurred on the
25 following date(s) and time(s): _____ and at the following location(s): ____
26 _____.

27 If the stalking or cyberstalking did not occur on the leased premises, the
28 reasons why continuing to reside on the leased premises may pose a threat to the
29 victim's safety.

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 297 Original

2026 Regular Session

Mandie Landry

Abstract: Permits termination of a lease for stalking and cyberstalking.

Present law defines "domestic abuse" as domestic abuse battery as defined in present law (R.S. 14:35.3) provided that the domestic abuse was committed on the leased premises.

Proposed law expands the definition of "domestic abuse" to include stalking and cyberstalking as defined in present law (R.S. 14:40.2 and 14.40.3).

Present law defines "qualified third party" as the executive director, program director, or another employee of a community-based shelter contracted with the Dept. of Children and Family Services (DCFS), provided the employee is a Licensed Clinical Social Worker (LCSW) or possesses a masters degree in Social Work (MSW).

Proposed law removes the requirement for the employee of a community-based shelter contracted with DCFS to possess a masters degree in Social Work (MSW).

Proposed law also adds the following to the "qualified third party" list if the party has personal involvement in the investigation or prosecution of any criminal case relative to the domestic abuse or stalking or cyberstalking:

- (1) A licensed professional counselor.
- (2) Prosecuting attorney.
- (3) Investigating law enforcement officer.

Present law provides that only a lessee or a household member of the lessee's residential dwelling be considered a domestic abuse victim and provides the required process in which a lessee may obtain an early lease termination. One of the requirements is to provide reasonable documentation of the domestic abuse that occurred on the premises within 30 days.

Proposed law retains present law but permits a domestic abuse victim to provide a declaration on the Certification of Domestic Abuse form, even if the stalking or cyberstalking did not occur on the leased premises, on why residing on the premises may pose a threat to the victim's safety.

Present law provides for the Certification of Domestic Abuse form.

Proposed law retains present law and adds stalking and cyberstalking to the form.

(Amends R.S. 9:3261.1(B)(2) and (6), (E)(intro. para.) and (2), and (H))