
DIGEST

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HB 297 Original

2026 Regular Session

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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))