

2026 Regular Session

HOUSE BILL NO. 1025

BY REPRESENTATIVE AMEDEE

DOMESTIC ABUSE: Provides relative to a violation of a protective order

1 AN ACT

2 To enact R.S. 14:79(I), relative to protective orders; to provide for an affirmative defense;
3 to provide for exceptions to violations of protective orders; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

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

7 §79. Violation of protective orders

8 * * *

9 I.(1) If a preliminary or permanent injunction or protective order was issued
10 pursuant to R.S. 9:361 et seq., R.S. 9:372, R.S. 46:2131 et seq., R.S. 46:2151, R.S.
11 46:2171 et seq., R.S. 46:2181 et seq., or Code of Civil Procedure Article 3604 or
12 3607.1, by a family court or other court having civil jurisdiction over a divorce
13 proceeding or other civil proceeding, it shall be an affirmative defense to prosecution
14 pursuant to this Section if all of the following occur:

15 (a) The person protected by the protective order knowingly and voluntarily
16 initiated contact with the defendant for the purpose of reconciliation of a marriage
17 or restoration of the relationship.

18 (b) The defendant did not initiate the contact in violation of the protective
19 order.

1 (c) The contact occurred with the express request, invitation, or consent of
2 the person protected by the protective order.

3 (2) The affirmative defense provided in this Section does not apply if the
4 defendant used force, threats, coercion, or intimidation to obtain the protected
5 person's consent or participation.

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 1025 Original

2026 Regular Session

Amedee

Abstract: Provides an affirmative defense for violation of a protective order.

Present law provides for violations of protective orders.

Proposed law provides that a defendant has an affirmative defense for violating a protective order if the following occurs:

- (1) The person protected by the protective order voluntarily initiated contact with the defendant.
- (2) The defendant did not initiate contact with the protected person.
- (3) The contact occurred with the consent of the protected person.

Proposed law does not apply if the defendant used force, threats, or coercion to obtain the consent of the protected person.

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