

2026 Regular Session

HOUSE BILL NO. 366

BY REPRESENTATIVE EDMONSTON

DOMESTIC ABUSE: Provides relative to continuance of hearings in domestic abuse matters

1 AN ACT

2 To amend and reenact R.S. 46:2135(E), relative to continuance of hearings with respect to
3 temporary restraining orders; to limit the opportunity for further continuance; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 46:2135(E) is hereby amended and reenacted to read as follows:

7 §2135. Temporary restraining order

8 * * *

9 E. If the hearing pursuant to Subsection B or D of this Section is continued,
10 the court shall make or extend such temporary restraining orders as it deems
11 necessary. Any continuance of a hearing ordered pursuant to Subsection B or D of
12 this Section shall not exceed one period of fifteen days, ~~unless good cause is shown~~
13 ~~for further continuance.~~ If the defendant has not been served and fails to appear at
14 the hearing pursuant to Subsection B or D of this Section, the hearing may be
15 continued and reset within twenty-one days from the date of service of the petition.
16 Any order made or extended pursuant to this Subsection shall remain in effect until
17 the hearing.

18 * * *

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 366 Engrossed

2026 Regular Session

Edmonston

Abstract: Removes the ability to show cause for continuance of a temporary restraining order protecting the petitioner, any minor children, or a person alleged to be an incompetent.

Present law provides for a temporary restraining order in civil suits alleging domestic violence.

Present law provides that when a hearing to show cause for the temporary restraining order is continued, a continuance of hearing regarding the temporary restraining order must not exceed 15 days unless good cause is shown.

Proposed law removes the ability to show good cause for continuing the temporary restraining order, effectively prohibiting the continuance of the temporary restraining order beyond 15 days. Further prohibits the continuance of the temporary restraining order beyond one period of 15 days.

Proposed law provides that if the defendant has not been served and fails to appear at the hearing, the hearing may be continued and reset within 21 days from the date of the service of the petition. Requires any order made or extended pursuant to present law to remain in effect until the hearing.

(Amends R.S. 46:2135(E))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Prohibit the continuance of a temporary restraining order beyond one period of 15 days.
2. Provide that if the defendant has not been served and fails to appear at the hearing, the hearing may be continued and reset within 21 days from the date of service of the petition. Further require any order made or extended pursuant to present law to remain in effect until the hearing.