
DIGEST

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HB 722 Original

2015 Regular Session

Billiot

Abstract: Provides relative to domestic abuse assistance, clarifies as to individuals protected and offenses included, provides relative to the issuance of temporary restraining orders and protective orders, and provides relative to duties of law enforcement.

Present law (R.S. 46:2131 et seq.) provides for domestic abuse assistance, hereinafter referred to as the "Domestic Abuse Assistance Act".

Present law provides that domestic abuse includes, but is not limited to, physical or sexual abuse as defined in the Criminal Code of Louisiana.

Proposed law retains present law but clarifies that domestic abuse may include a non-physical offense as defined in the Criminal Code of Louisiana.

Present law includes only family members and household members as possible victims of domestic abuse.

Proposed law adds dating partners as a possible victim of domestic abuse.

For purposes of the Domestic Abuse Assistance Act, proposed law provides that the term "dating partners" shall have the same meaning as provided in the present law Protection From Dating Violence Act.

Present law allows a court to consider abuse that is not immediate and present during a proceeding for a temporary restraining order.

Proposed law requires a court to consider any and all past history of abuse alleged by a petitioner when determining the level of danger during a proceeding for a temporary restraining order.

Present law allows a court to grant a protective order or approve a consent agreement to bring a cessation of immediate and present danger of abuse or domestic abuse as defined in the Domestic Abuse Assistance Act.

Proposed law retains present law but allows a court to grant a protective order or approve a consent agreement to cease the threat of domestic abuse.

(Amends R.S. 46:2131, 2132(3) and (4), 2135(A), 2136(A), and 2140(A), (C)(2)(g) and (3))