
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)]

Greene

HB No. 834

Abstract: Provides for time periods for divorce judgments.

Present law provides that the time period for a divorce shall be 180 days if, after a contradictory hearing, a protective order or injunction has been issued and is in effect at the time the petition for divorce is filed.

Proposed law retains present law regarding the contradictory hearing and additionally provides that the time period shall be 180 days when, in accordance with a consent decree, a protective order or injunction has been issued.

Proposed law deletes the requirement that the protective order shall be in effect at the time the petition for divorce is filed.

Present law provides that the time period for a divorce shall be 365 days if there are minor children of the marriage.

Proposed law provides that the determination of whether there are minor children of the marriage occurs at the time the rule to show cause is filed in accordance with C.C. Art. 102 or when the petition is filed in accordance with C.C. Art. 103.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends C.C. Art. 103.1(1)(c) and (2))

Summary of Amendments Adopted by House

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

1. Deleted the proposed changes to C.C. Art. 103 regarding living separate and apart until the judgment of divorce is granted.
2. Deleted the requirement that a protective order shall be in effect at the time the petition for divorce is filed for the 180 day time period to apply.
3. Specified that the determination regarding whether there are minor children of the

marriage shall be made at the time the rule to show cause is filed in accordance with C.C. Art. 102 or when a petition is filed in accordance with C.C. Art. 103.