
DIGEST

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HB 27 Engrossed

2017 Regular Session

Connick

Abstract: Amends the definition of "household member" for purposes of domestic abuse assistance and application of certain domestic abuse offenses to include all persons presently or formerly living in the same residence as spouses.

Present law (R.S. 14:35.3) defines the crime of domestic abuse battery as the intentional use of force or violence committed by one household member or family member upon the person of another household member or family member.

Present law (R.S. 14:37.7) defines the crime of domestic abuse aggravated assault as an assault with a dangerous weapon committed by one household member or family member upon another household member or family member.

Present law provides for the issuance of temporary restraining orders, protective orders, and other assistance under the Protection From Family Violence Act for victims of domestic abuse committed by one family member or household member against another family member or household member.

For purposes of present law, "household member" is defined as any person of the opposite sex presently or formerly living in the same residence with the defendant as a spouse, whether married or not.

Proposed law amends the present law definition of "household member" by removing the restriction that a "household member" must be a person of the opposite sex for purposes of eligibility for domestic abuse assistance and the application of domestic abuse battery and domestic abuse aggravated assault.

(Amends R.S. 14:35.3(B)(5) and 37.7(B)(2) and R.S. 46:2132(4))