

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 376

2023 Regular Session

Boyd

DOMESTIC ABUSE: Provides relative to protective orders

Synopsis of Senate Amendments

1. Restores the present law mandatory duty of the clerk to transmit the Uniform Abuse Prevention Order and to send a copy to the chief law enforcement officer.
2. Changes the deadlines for transmission of protective orders by the clerk of court from permissive to mandatory.
3. Adds an effective date.

Digest of Bill as Finally Passed by Senate

Present law provides that the clerk of the issuing court may transmit the Uniform Abuse Prevention Order to the judicial administrator's office, La. Supreme Court, for entry into the La. Protective Order Registry by facsimile transmission or direct electronic input as expeditiously as possible, no later than the end of the next business day after the order is filed with the clerk of court.

Proposed law changes present law by providing that the clerk shall transmit the order to the judicial administrator's office no later than the end of the next calendar day.

Present law provides that the clerk of the issuing court shall immediately send a copy of the order or any modification thereof to the La. Protective Order Registry and to the chief law enforcement officer of the parish in which the person or persons protected by the order reside as expeditiously as possible, but no later than the next business day after the order is filed with the clerk of court.

Proposed law changes present law by providing that the clerk shall send a copy of the order no later than the next calendar day after the order is filed with the clerk of court.

Proposed law provides that the judicial administrator's office shall develop policies and procedures that provide for immediate entry of protection orders received by the office to include those received the next calendar day. Proposed law further provides that, to avoid delays in entry, the office has the authority to authorize agencies to enter protection orders directly into the registry when certain conditions or criteria exist.

Effective Aug. 1, 2024.

(Amends R.S. 46:2136(H) and 2136.2(D); Adds R.S. 46:2136.2(G))