2024 Regular Session

HOUSE BILL NO. 557

BY REPRESENTATIVE MCMAKIN

CRIMINAL/VICTIMS: Provides relative to the Louisiana Protective Order Registry

1   AN ACT

2   To amend and reenact R.S. 46:2136.2(A) and (B), relative to the Louisiana Protective Order

3   Registry; to provide for the purpose of the registry; to provide for the contents of the

4   registry; and to provide for related matters.

5   Be it enacted by the Legislature of Louisiana:

6   Section 1. R.S. 46:2136.2(A) and (B) are hereby amended and reenacted to read as

7   follows:

8   §2136.2. Louisiana Protective Order Registry

9   A. In order to provide a statewide registry for abuse prevention orders to

10   protect victims and witnesses and to prevent domestic abuse, dating violence,

11   stalking, and sexual assault, and crimes of violence and to aid law enforcement,

12   prosecutors, and the courts in handling such matters, there shall be created a

13   Louisiana Protective Order Registry administered by the judicial administrator's

14   office, Louisiana Supreme Court. The judicial administrator's office shall collect the

15   data transmitted to it from the courts, law enforcement, and private process servers

16   of the state and enter it into the Louisiana Protective Order Registry as expeditiously

17   as possible.

18   B. The Louisiana Protective Order Registry encompasses temporary

19   restraining orders, protective orders, preliminary injunctions, permanent injunctions,

20   and court-approved consent agreements resulting from actions brought pursuant to

1   R.S. 46:2131 et seq., R.S. 46:2151, R.S. 46:2171 et seq., R.S. 46:2181 et seq., R.S.

2   9:361 et seq., R.S. 9:372, Children's Code Article 1564 et seq., Code of Civil

3   Procedure Article 3607.1, or peace bonds pursuant to Code of Criminal Procedure

4   Article 30(B), or as part of the disposition, sentence, ~~or~~ bail condition, or other issue

5   ancillary to ~~of~~ a criminal matter pursuant to R.S. 46:1846, Code of Criminal

6   Procedure ~~Articles 327.1, 335.1, 335.2, or~~ Article 320 or 871.1 ~~as long as such order~~

7   ~~is issued for the purpose of preventing violent or threatening acts or harassment~~

8   ~~against, contact or communication with, or physical proximity to, another person to~~

9   ~~prevent domestic abuse, stalking, dating violence, or sexual assault~~ or any other

10   lawfully issued Uniform Abuse Prevention Order.

11   *   *   *

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 557 Engrossed   2024 Regular Session   McMakin

Abstract: Provides relative to the purpose and scope of the La. Protective Order Registry.

Present law provides for the creation of the La. Protective Order Registry in order to provide a statewide registry for abuse prevention orders to prevent domestic abuse, dating violence, stalking, and sexual assault and to aid law enforcement, prosecutors, and the courts in handling such matters.

Proposed law retains present law and clarifies that the registry exists to also protect victims and witnesses and to prevent crimes of violence.

Present law provides that the registry encompasses temporary restraining orders, protective orders, preliminary injunctions, permanent injunctions, and court-approved consent agreements resulting from actions brought pursuant to present law, or peace bonds pursuant to present law, or as part of the disposition, sentence, or bail condition of a criminal matter pursuant to present law as long as such order is issued for the purpose of preventing violent or threatening acts or harassment against, contact or communication with, or physical proximity to, another person to prevent domestic abuse, stalking, dating violence, or sexual assault.

Proposed law amends present law to include within the registry any other issue ancillary to a criminal matter pursuant to present law (R.S. 46:1846 or C.Cr.P. Arts. 320 or 871.1) or any other lawfully issued Uniform Abuse Prevention Order.

Proposed law removes language relative to an order that is issued for the purpose of preventing violent or threatening acts or harassment against, contact or communication with, or physical proximity to, another person to prevent domestic abuse, stalking, dating violence, or sexual assault.

Proposed law removes references to repealed provisions of present law.

(Amends R.S. 46:2136.2(A) and (B))