

RÉSUMÉ DIGEST

ACT 26 (HB 57)

2026 Regular Session

Villio

Existing law permits the court to issue a temporary restraining order to protect from abuse in an ex-parte proceeding for good cause shown, and also authorizes the use of past history of abuse or threats to determine the existence of an immediate and present danger of abuse.

New law authorizes the court, on its own motion, to obtain and consider any and all past criminal history of the parties in a temporary restraining order proceeding.

Existing law provides that a rule to show cause hearing is to be held within 21 days if a temporary restraining order is issued without notice, and at the earliest business day, but no later than 10 days from the date of service of the petition, if no temporary restraining order has been granted. Also provides a notice requirement in either case.

New law authorizes a party affected by the use of criminal history in a temporary restraining order proceeding the opportunity to rebut and to respond to the evidence in the rule to show cause hearing.

Effective August 1, 2026.

(Amends R.S. 46:2135(A)(intro. para.), (B), and (D))