

ACT No. 452

2016 Regular Session

HOUSE BILL NO. 931

BY REPRESENTATIVE WHITE

1 AN ACT

2 To amend and reenact R.S. 14:35.3(C), (D), and (H), relative to domestic abuse battery; to
3 require completion of court-monitored domestic abuse intervention program as a part
4 of the sentence for conviction of domestic abuse battery; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:35.3(C), (D), and (H) are hereby amended and reenacted to read
8 as follows:

9 §35.3. Domestic abuse battery

10 * * *

11 C. On a first conviction, notwithstanding any other provision of law to the
12 contrary, the offender shall be fined not less than three hundred dollars nor more than
13 one thousand dollars and shall be imprisoned for not less than thirty days nor more
14 than six months. At least forty-eight hours of the sentence imposed shall be served
15 without benefit of parole, probation, or suspension of sentence. Imposition or
16 execution of the remainder of the sentence shall not be suspended unless either of the
17 following occurs:

1 (1) The offender is placed on probation with a minimum condition that he
2 serve four days in jail and ~~participate in~~ complete a court-monitored domestic abuse
3 intervention program, and the offender shall not own or possess a firearm throughout
4 the entirety of the sentence.

5 (2) The offender is placed on probation with a minimum condition that he
6 perform eight, eight-hour days of court-approved community service activities and
7 ~~participate in~~ complete a court-monitored domestic abuse intervention program, and
8 the offender shall not own or possess a firearm throughout the entirety of the
9 sentence.

10 D. On a conviction of a second offense, notwithstanding any other provision
11 of law to the contrary, regardless of whether the second offense occurred before or
12 after the first conviction, the offender shall be fined not less than seven hundred fifty
13 dollars nor more than one thousand dollars and shall be imprisoned with or without
14 hard labor for not less than sixty days nor more than one year. At least fourteen days
15 of the sentence imposed shall be served without benefit of parole, probation, or
16 suspension of sentence, and the offender shall be required to ~~participate in~~ complete
17 a court-monitored domestic abuse intervention program. Imposition or execution of
18 the remainder of the sentence shall not be suspended unless either of the following
19 occurs:

20 (1) The offender is placed on probation with a minimum condition that he
21 serve thirty days in jail and ~~participate in~~ complete a court-monitored domestic abuse
22 intervention program, and the offender shall not own or possess a firearm throughout
23 the entirety of the sentence.

24 (2) The offender is placed on probation with a minimum condition that he
25 perform thirty eight-hour days of court-approved community service activities and
26 ~~participate in~~ complete a court-monitored domestic abuse intervention program, and
27 the offender shall not own or possess a firearm throughout the entirety of the
28 sentence.

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