

HOUSE COMMITTEE AMENDMENTS

2018 Regular Session

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 291 by Senator Barrow

1 AMENDMENT NO. 1

2 On page 2, line 26, after "**In such cases,**" delete the remainder of the line and delete lines
3 27 and 28 in their entirety and insert "**the court shall determine an award of custody or**
4 **visitation in accordance with R.S. 9:341 and 364.**"

5 AMENDMENT NO. 2

6 On page 3, line 16, after "**R.S. 9:341**" and before the comma "," insert "**and 364**"

7 AMENDMENT NO. 3

8 On page 4, line 3, after "**incident of**" and before "**hearing,**" delete "**violence. At such**" and
9 insert "**domestic violence or family abuse. At the**"

10 AMENDMENT NO. 4

11 On page 5, delete lines 16 through 27 in their entirety and insert the following:

12 "B. The presumption shall be overcome only **if the court finds all of the**
13 **following** by a preponderance of the evidence:

14 (1) ~~The that the~~ **perpetrating parent has successfully completed a court-**
15 **monitored domestic abuse intervention program as defined in R.S. 9:362, or a**
16 **treatment program designed for sexual abusers, after the last instance of abuse.**

17 (2) **The perpetrating parent** is not abusing alcohol ~~and the~~ **or using** illegal
18 ~~use of drugs~~ **substances** scheduled in R.S. 40:964, ~~and,~~

19 (3) ~~The that the~~ **best interest of the child or children, considering the factors**
20 **listed in Civil Code Article 134,** requires ~~that the~~ **perpetrating** parent's
21 participation as a custodial parent because of the other parent's absence, mental
22 illness, ~~or~~ **substance abuse, or such other circumstances** **circumstance** which affect
23 **is negatively affecting** the ~~best interest of the~~ child or children.

24 C. The fact that the abused parent suffers from the effects of the abuse shall
25 not be grounds for denying that parent custody.

26 AMENDMENT NO. 5

27 On page 5, at the beginning of line 28, change "**C.**" to "**D.**"

28 AMENDMENT NO. 6

29 On page 6, at the beginning of line 6, change "**D.**" to "**E.**"

30 AMENDMENT NO. 7

31 On page 6, at the beginning of line 14, change "**E.**" to "**F.**"