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**
20   **factors 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.**"