

**ACT No. 679**

2018 Regular Session

HOUSE BILL NO. 207

BY REPRESENTATIVE BAGLEY

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 1292, R.S. 14:79(A)(1)(b), and R.S.  
3 46:2136.2(A) and to enact Code of Civil Procedure Article 1293(D), relative to  
4 temporary restraining orders and protective orders; to require the transmission of  
5 proof of service of certain temporary restraining orders, protective orders,  
6 preliminary injunctions, permanent injunctions, and consent agreements to the  
7 Louisiana Protective Order Registry; to provide for the method of transmission and  
8 the time period within which transmission must be made; and to provide for related  
9 matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Code of Civil Procedure Article 1292 is hereby amended and reenacted  
12 and Code of Civil Procedure Article 1293(D) is hereby enacted to read as follows:

13 Art. 1292. Sheriff's return

14 A. The sheriff shall endorse on a copy of the citation or other process the  
15 date, place, and method of service and sufficient other data to show service in  
16 compliance with law. He shall sign and return the copy promptly after the service  
17 to the clerk of court who issued it. The return, when received by the clerk, shall form  
18 part of the record, and shall be considered prima facie correct. The court, at any time  
19 and upon such terms as are just, may allow any process or proof of service thereof  
20 to be amended, unless it clearly appears that material prejudice would result to the  
21 substantial rights of the party against whom the process issued.

22 B. In addition to the provisions of Paragraph A of this Article, when the  
23 citation or other process is a temporary restraining order, protective order,  
24 preliminary injunction, permanent injunction, or court-approved consent agreement  
25 as referenced in R.S. 46:2136.2(B), the person making the service, or his designee,



1 a previously issued temporary restraining order or ex parte protective order if noted  
 2 in the police report shall be deemed sufficient evidence of service of process and  
 3 admissible in any civil or criminal proceedings. A law enforcement officer making  
 4 service under this Subsection shall transmit proof of service to the judicial  
 5 administrator's office, Louisiana Supreme Court, for entry into the Louisiana  
 6 Protective Order Registry, as provided in R.S. 46:2136.2(A), by facsimile  
 7 transmission or direct electronic input as expeditiously as possible, but no later than  
 8 the end of the next business day after making service, exclusive of weekends and  
 9 holidays. This proof shall include, at a minimum, the case caption, docket number,  
 10 type of order, serving agency and officer, and the date and time service was made.

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12 Section 3. R.S. 46:2136.2(A) is hereby amended and reenacted to read as follows:  
 13 §2136.2. Louisiana Protective Order Registry

14 A. In order to provide a statewide registry for abuse prevention orders to  
 15 prevent domestic abuse, dating violence, stalking, and sexual assault and to aid law  
 16 enforcement, prosecutors, and the courts in handling such matters, there shall be  
 17 created a Louisiana Protective Order Registry administered by the judicial  
 18 administrator's office, Louisiana Supreme Court. The judicial administrator's office  
 19 shall collect the data transmitted to it from the courts, law enforcement, and private  
 20 process servers of the state and enter it into the Louisiana Protective Order Registry  
 21 as expeditiously as possible.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_