2018 Regular Session

HOUSE BILL NO. 773

BY REPRESENTATIVE LYONS

1 AN ACT 2 To amend and reenact R.S. 46:2136(A)(4), relative to protective orders and consent 3 agreements issued in domestic abuse cases; to provide for a mental health evaluation 4 of a perpetrator of domestic abuse; to remove the authority of the court to order a 5 medical evaluation or counseling of an abused person; and to provide for related 6 matters. 7 Be it enacted by the Legislature of Louisiana: 8 Section 1. R.S. 46:2136(A)(4) is hereby amended and reenacted to read as follows: 9 §2136. Protective orders; content; modification; service 10 A. The court may grant any protective order or approve any consent 11 agreement to bring about a cessation of domestic abuse as defined in R.S. 46:2132, 12 or the threat or danger thereof, to a party, any minor children, or any person alleged 13 to be incompetent, which relief may include but is not limited to: 14 * 15 (4)(a) Ordering an additional either a medical or mental health opinion 16 regarding a medical evaluation or both of the defendant or the abused person, or 17 both, perpetrator to be conducted by an independent court-appointed evaluator who 18 qualifies as an expert in the field of domestic abuse. The evaluation shall be 19 conducted by a person who has no family, financial, or prior medical or mental 20 health relationship with the defendant perpetrator or abused person, or their attorneys 21 his attorney of record.

ENROLLED

ACT No. 697

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(b) If the additional medical opinion medical evaluation is ordered for both
2	the defendant and abused person, two separate evaluators shall be appointed.
3	(c)(b) After an additional <u>a</u> medical <u>or mental health</u> opinion medical
4	evaluation has been completed and a report issued, the court may order counseling
5	or other medical or mental health treatment as deemed appropriate.
6	* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____