

2020 Regular Session

HOUSE BILL NO. 212

BY REPRESENTATIVE MARINO

1 AN ACT

2 To amend and reenact R.S. 14:2(B)(48) and (49), 34.9(J), (K), (L), and (M), 35.3(B)(4) and  
3 (N), and 37.7(B)(1), R.S. 46:2132(4), and Code of Evidence Article 412.4(D)(3) and  
4 (4) and to enact R.S. 14:34.9(N), (O), and (P) and 35.3(O) and (P), relative to  
5 domestic abuse; to provide relative to the crimes of domestic abuse battery and  
6 battery of a dating partner; to provide specific penalties when the battery is  
7 committed with a dangerous weapon and when committed with a dangerous weapon  
8 when the offender intentionally inflicts serious bodily injury; to designate as  
9 domestic abuse any felony crime of violence committed by one dating partner  
10 against the person of another dating partner; to amend the definition of "family  
11 member" for the crimes of domestic abuse battery and domestic abuse aggravated  
12 assault and for purposes of the Domestic Abuse Assistance Act; to amend the  
13 definitions of "family member" and "household member" for purposes of certain  
14 evidentiary provisions applicable in domestic abuse cases; and to provide for related  
15 matters.

16 Be it enacted by the Legislature of Louisiana:

17 Section 1. R.S. 14:2(B)(48) and (49), 34.9(J), (K), (L), and (M), 35.3(B)(4) and (N),  
18 and 37.7(B)(1) are hereby amended and reenacted and R.S. 14:34.9(N), (O), and (P) and  
19 35.3(O) and (P) are hereby enacted to read as follows:







1 Section 2. R.S. 46:2132(4) is hereby amended and reenacted to read as follows:

2 §2132. Definitions

3 As used in this Part:

4 \* \* \*

5 (4) "Family members" means spouses, former spouses, parents and children,  
6 stepparents, stepchildren, foster parents, ~~and~~ foster children, other ascendants, and  
7 other descendants. "Family member" also means the other parent or foster parent of  
8 any child or foster child of the offender. "Household members" means any person  
9 presently or formerly living in the same residence with the defendant and who is  
10 involved or has been involved in a sexual or intimate relationship with the defendant  
11 and who is seeking protection under this Part. "Dating partner" means any person  
12 protected from violence under R.S. 46:2151 who is seeking protection under this  
13 Part. If a parent or grandparent is being abused by an adult child, adult foster child,  
14 or adult grandchild, the provisions of this Part shall apply to any proceeding brought  
15 in district court.

16 Section 3. Code of Evidence Article 412.4(D)(3) and (4) is hereby amended and  
17 reenacted to read as follows:

18 Art. 412.4. Evidence of similar crimes, wrongs, or acts in domestic abuse cases and  
19 cruelty against juveniles cases

20 \* \* \*

21 D. For purposes of this Article:

22 \* \* \*

23 (3) "Family member" means spouses, former spouses, parents and children,  
24 stepparents, stepchildren, foster parents, ~~and~~ foster children, other ascendants, and  
25 other descendants. "Family member" also means the other parent or foster parent of  
26 any child or foster child of the offender.

