
DIGEST

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HB 57 Original

2026 Regular Session

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Abstract: Permits the court to obtain and consider any and all past criminal history of parties in a temporary restraining order proceeding.

Present law permits the court to issue a temporary restraining order to protect from abuse in an ex parte proceeding for good cause shown, and also authorizes the use of past history of abuse or threats to determine the existence of an immediate and present danger of abuse.

Proposed law retains present law and authorizes the court, on its own motion, to obtain and consider any and all past criminal history of the parties in a temporary restraining order proceeding.

Present law provides that a rule to show cause hearing is to be held within 21 days if a temporary restraining is issued without notice, and at the earliest business day, but no later than 10 days from the date of service of the petition, if no temporary restraining order has been granted. Also provides a notice requirement in either case.

Proposed law retains present law and allows a party affected by the use of criminal history in a temporary restraining order proceeding the opportunity to rebut and to respond to the evidence in the rule to show cause hearing.

(Amends R.S. 46:2135(A)(intro. para.), (B), and (D))