

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 769

2026 Regular Session

Boyd

DOMESTIC ABUSE: Provides relative to the removal authority process with respect to domestic offenders

Synopsis of Senate Amendments

1. Changes the beginning of the proposed law cooling off period from the offender's arrest to a determination of probable cause.
2. Requires the court to consider any fact presented that indicates that the defendant poses an increased risk to the victim, the victim's family, or the public before imposing a cooling off period.

Digest of Bill as Finally Passed by Senate

Present law provides relative to bail in domestic abuse battery matters, violations of protective orders, stalking, and any felony offense involving the use or threatened use of force against a family member.

Present law provides for a contradictory bail hearing and conditions under which bail may be granted.

Proposed law provides that the court may order a person to be held without bail for a "cooling off" period of not less than 48 hours nor more than 72 hours if he is charged with certain domestic abuse offenses listed in present law (C.Cr.P. Art. 313).

Proposed law requires the court to consider any fact presented that indicates that the defendant poses an increased risk to the victim, the victim's family, or the public when deciding to order that the defendant be held for a cooling off period.

Proposed law provides that the cooling off period begins immediately upon the court's determination of probable cause and runs concurrently with the 72-hour maximum period for appearance before a judge for the purpose of appointing counsel provided in present law (C.Cr.P. Art. 230.1).

Proposed law otherwise retains present law.

(Amends C.Cr.P. Art. 313(A)(2))