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HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Smith to Engrossed House Bill No. 1122 by Representative Smith

1 AMENDMENT NO. 1

2 On page 1, line 2, change "Article 3607.1" to "Articles 3603.1(C)(1) and 3607.1, R.S.
3 46:2136.2(B), and R.S. 14:79(A)(1)(a) and (E)"

4 AMENDMENT NO. 2

5 On page 1, line 9, change "Article 3607.1 is" to "Articles 3603.1(C)(1) and 3607.1 are"

6 AMENDMENT NO. 3

7 On page 1, between lines 10 and 11, insert the following:

8 "Art. 3603.1. Governing provisions for issuance of protective orders;
9 grounds; notice; court-appointed counsel

10 * * *

11 C.(1) A complainant seeking protection from domestic abuse, dating
12 violence, stalking, or sexual assault shall not be required to prepay or be cast
13 with court costs or costs of service of subpoena for the issuance or
14 dissolution of a temporary restraining order, preliminary or permanent
15 injunction, or protective order ~~pursuant to this Article~~ , or the dismissal of
16 a petition for such, and the clerk of court shall immediately file and process
17 the order issued ~~pursuant to this Article~~ regardless of the ability of the
18 plaintiff to pay court costs.

19 * * *"

20 AMENDMENT NO. 4

21 On page 1, line 16, after "a" change "perpetrator" to "person accused"

22 AMENDMENT NO. 5

23 On page 1, line 17, after "when the" delete the remainder of the line and insert "parties are
24 strangers or acquaintances."

25 AMENDMENT NO. 6

26 On page 1, at the beginning of line 18, delete "victim."

27 AMENDMENT NO. 7

28 On page 2, line 9, after "Section 2." and before "Chapter" insert "R.S. 46:2136.2(B) is
29 hereby amended and reenacted and"

30 AMENDMENT NO. 8

31 On page 2, between lines 10 and 11 insert the following:

"§2136.2. Louisiana Protective Order Registry

* * *

B. The Louisiana Protective Order Registry encompasses temporary restraining orders, protective orders, preliminary injunctions, permanent injunctions, and court-approved consent agreements resulting from actions brought pursuant to R.S. 46:2131 et seq., R.S. 46:2151, R.S. 46:2171 et seq., R.S. 9:361 et seq., R.S. 9:372, Children's Code Article 1564 et seq., Code of Civil Procedure Article 3607.1, or peace bonds pursuant to Code of Criminal Procedure Article 30(B), or as part of the disposition, sentence, or bail condition of a criminal matter pursuant to Code of Criminal Procedure Article 327.1 or Article 871.1 as long as such order is issued for the purpose of preventing violent or threatening acts or harassment against, contact or communication with, or physical proximity to, another person to prevent domestic abuse, stalking, or dating violence.

* * *"

AMENDMENT NO. 9

On page 2, between lines 25 and 26, insert the following:

"§2171.1. Jurisdiction

Any district court in the state of Louisiana which is empowered to hear civil matters shall have jurisdiction over proceedings appropriate to it under this Chapter."

AMENDMENT NO. 10

On page 3, after 12, add the following:

"Section 3. R.S. 14:79(A)(1)(a) and (E) are hereby amended and reenacted to read as follows:

§79. Violation of protective orders

A.(1)(a) Violation of protective orders is the willful disobedience of a preliminary or permanent injunction or protective order issued pursuant to R.S. 9:361 et seq., R.S. 9:372, R.S. 46:2131 et seq., R.S. 46:2151, R.S. 46:2171 et seq., Children's Code Article 1564 et seq., Code of Civil Procedure Articles 3604 and 3607.1, or Code of Criminal Procedure Articles, 327.1, 335.1, and 871.1 after a contradictory court hearing, or the willful disobedience of a temporary restraining order or any ex parte protective order issued pursuant to R.S. 9:361 et seq., R.S. 9:372, R.S. 46:2131 et seq., R.S. 46:2151, R.S. 46:2171 et seq., criminal stay-away orders as provided for in Code of Criminal Procedure Articles 327.1, and 335.1, Children's Code Article 1564 et seq., or Code of Civil Procedure Articles 3604 and 3607.1, if the defendant has been given notice of the temporary restraining order or ex parte protective order by service of process as required by law.

* * *

E. Law enforcement officers shall use every reasonable means, including but not limited to immediate arrest of the violator, to enforce a preliminary or permanent injunction or protective order obtained pursuant to R.S. 9:361, R.S. 9:372, R.S. 46:2131 et seq., R.S. 46:2151, R.S. 46:2171 et seq., Children's Code Article 1564 et seq., Code of Civil Procedure Articles 3604 and 3607.1, or Code of Criminal Procedure Articles 327.1, 335.1 and 871.1 after a contradictory court hearing, or to enforce a temporary restraining order or ex parte protective order issued pursuant to R.S. 9:361, R.S. 9:372, R.S. 46:2131 et seq., R.S. 46:2151, R.S. 46:2171 et seq., Children's Code Article 1564 et seq., Code of Civil Procedure Articles 3604 and 3607.1, or Code of Criminal Procedure Articles 327.1 and 335.1 if the defendant has been given notice of the temporary restraining order or ex parte protective order by service of process as required by law.

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