
DIGEST

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Smith

HB No. 1122

Abstract: Creates the Protection From Stalking Act and provides for assistance to victims of stalking.

Present law relieves complainants seeking protection from certain acts of abuse from paying certain court costs associated with obtaining an order of protection.

Proposed law retains present law and adds a complainant seeking protection from dating violence to the enumerated list.

Present law requires a judge to prepare a Uniform Abuse Prevention Order when granting certain restraining orders or injunctions prohibiting a person from harming a family or household member. Further requires the Uniform Abuse Prevention Order to be filed with the Louisiana Protective Order Registry.

Proposed law retains present law and adds orders directing a person accused of stalking to refrain from abusing, harassing, or interfering with the victim of the stalking when the parties are strangers or acquaintances.

Proposed law creates the Protection From Stalking Act and designates victims of stalking committed by a stranger or acquaintance as a person eligible to receive all applicable services, benefits, and other forms of assistance provided by the Protection From Family Violence Act, including a summary proceeding for obtaining a civil order of protection, maintenance of orders of protection against stalking in the Louisiana Protective Order Registry, and assistance in completing the forms for application for the protective order.

Present law establishes the crime of violation of a protective order and enumerates specific orders of protection for which a person against whom the order is directed may be prosecuted for violating the order.

Proposed law adds violation of a protective order issued pursuant to proposed law as a crime under present law.

(Amends C.C.P. Arts. 3603.1(C)(1) and 3607.1, R.S. 46:2136.2(B), and R.S. 14:79(A)(1)(a) and (E); Adds R.S. 46:2171-2174)

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Added proposed law to the list of orders of protection to be entered into the Louisiana Protective Order Registry.
2. Added a complainant seeking protection from dating violence to the list of orders of protection for which a complainant is not required to pay certain court costs.
3. Added proposed law to the list of orders of protection enumerated in the crime of violation of a protective order for which a person against whom an order is directed may be prosecuted for violating the order.