

HOUSE COMMITTEE AMENDMENTS

2015 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 36 by Senator Amedee

1 AMENDMENT NO. 1

2 On page 1, line 2, after "Procedure" and before "327.1" change "Article" to "Articles"

3 AMENDMENT NO. 2

4 On page 1, line 3, after "(E), and" delete the remainder of the line and insert "R.S.
5 46:236.5(C)(3)(k) and 2136.2(A) and (B), and to enact Chapter"

6 AMENDMENT NO. 3

7 On page 1, line 5, after "through" delete the remainder of the line, delete lines 6 through 9
8 in their entirety and insert the following:

9 "2188 and Code of Criminal Procedure Article 335.1(A)(1)(d), relative to
10 protective orders for victims of sexual assault; to enact the Protection for
11 Victims of Sexual Assault Act; to provide for legislative intent; to make
12 sexual assault victims eligible for the same services, benefits, and assistance
13 available to persons under the Domestic Abuse Assistance Act, the
14 Protection from Dating Violence Act, and the Protection from Stalking Act;
15 to provide for jurisdiction and venue; to authorize the clerk of court to
16 provide certain forms of clerical assistance to sexual assault victims; to
17 authorize sexual assault advocates to provide certain forms of assistance to
18 sexual assault victims; to provide relative to orders issued as a condition of
19 bail for certain offenses involving sexual assault; to require such orders to be
20 transmitted to the Louisiana Protective Order Registry; to provide relative to
21 the court's authority to prohibit a defendant from possessing a firearm as a
22 condition of bail for certain offenses involving domestic abuse, stalking, or
23 sexual assault; to provide relative to violation of protective orders issued
24 pursuant to the Protection for Victims of Sexual Assault Act; to provide
25 relative to privileged communications and records; to authorize hearing
26 officers to make recommendations on stalking and sexual assault protective
27 orders; to provide definitions; and"

28 AMENDMENT NO. 4

29 On page 1, line 12, after "Procedure" and before "327.1" change "Article" to "Articles"

30 AMENDMENT NO. 5

31 On page 1, line 13, after "reenacted" and before "to read" insert "and Code of Criminal
32 Procedure Article 335.1(A)(1)(d) is hereby enacted"

33 AMENDMENT NO. 6

34 On page 2, line 1, after "or" delete the remainder of the line

35 AMENDMENT NO. 7

36 On page 2, line 2, after "assault" and before the comma "," delete "as defined in R.S.
37 46:2183"

1 stalking, or harassment; and hear and make recommendations on all motions
2 for contempt of court and motions to extend, modify, or dissolve protective
3 orders and injunctions.

4 * * *

5 AMENDMENT NO. 13

6 On page 4, delete line 28 in its entirety and insert: "prevent domestic **abuse**, and dating
7 violence, **and sexual assault** and to aid law "

8 AMENDMENT NO. 14

9 On page 5, line 15, after "violence, **or**" delete the remainder of the line

10 AMENDMENT NO. 15

11 On page 5, at the beginning of line 16, delete "with a victim of"

12 AMENDMENT NO. 16

13 On page 5, line 18, after "**PROTECTION**" and before "**VICTIMS**" change "**OF**" to "**FOR**"

14 AMENDMENT NO. 17

15 On page 5, at the end of line 25, change "**inhabitants**" to "**residents**"

16 AMENDMENT NO. 18

17 On page 6, delete line 2 in its entirety and insert "**Additionally, in some cases the rape or**
18 **other sexual assault is reported but**"

19 AMENDMENT NO. 19

20 On page 6, line 14, after "**remedy for**" and before "**victims**" insert "**all**"

21 AMENDMENT NO. 20

22 On page 6, line 15, after "**sexual**" and before "**that**" delete "**assaults of all kinds**" and insert
23 "**assault**"

24 AMENDMENT NO. 21

25 On page 6, between lines 19 and 20, insert the following:

26 **§2183. Protection from sexual assault; temporary restraining order**
27 **A. A victim of sexual assault as defined by R.S. 46:2184,**
28 **perpetrated by a person who is either unknown to the victim or who is**
29 **an acquaintance of the victim, shall be eligible to receive all services,**
30 **benefits, and other forms of assistance provided by Chapter 28 of this**
31 **Title.**
32 **B. For persons who are eligible, under the provisions of this**
33 **Chapter, to seek a temporary restraining order pursuant to the**
34 **provision of R.S. 46:2135, a showing that the person is or has been a**
35 **victim of sexual assault shall constitute good cause for purposes of**
36 **obtaining a temporary restraining order in an ex parte proceeding.**"

37 AMENDMENT NO. 22

38 On page 6, at the beginning of line 20, change "**§2183.**" to "**§2184.**"

1 AMENDMENT NO. 23

2 On page 6, line 21, after "**Chapter**" delete the remainder of the line, and delete lines 22
3 through 29 in their entirety, insert a comma ",", and insert "**sexual assault** **includes but**
4 **is not limited to any act constituting an**"

5 AMENDMENT NO. 24

6 On page 7, delete lines 1 through 8 in their entirety

7 AMENDMENT NO. 25

8 On page 7, line 9, after "**R.S. 15:541(24)**" and before "**obscenity**" change "**and**" to "**or**"

9 AMENDMENT NO. 26

10 On page 7, at the beginning of line 10, change "**§2184.**" to "**§2185.**"

11 AMENDMENT NO. 27

12 On page 7, delete lines 19 through 29 in their entirety

13 AMENDMENT NO. 28

14 Delete pages 8 through 13 in their entirety

15 AMENDMENT NO. 29

16 On page 14, delete lines 1 through 18 in their entirety

17 AMENDMENT NO. 30

18 On page 14, at the beginning of line 19, change "**§2189.**" to "**§2186.**"

19 AMENDMENT NO. 31

20 On page 14, line 22, after "**necessary,**" and before "**indigent**" delete "**advise**" and insert
21 "**notify**"

22 AMENDMENT NO. 32

23 On page 14, at the beginning of line 26, change "**46:2185(C)**" to "**46:2134(D)**"

24 AMENDMENT NO. 33

25 On page 15, at the beginning of line 5, change "**§2190.**" to "**§2187.**"

26 AMENDMENT NO. 34

27 On page 15, line 11, after "**by**" and before the period "." change "**R.S. 46:2189**" to "**R.S.**
28 **46:2186**"

29 AMENDMENT NO. 35

30 On page 15, at the beginning of line 26, change "**§2191.**" to "**§2188.**"