
HOUSE COMMITTEE AMENDMENTS

2016 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to
Original House Bill No. 931 by Representative WhiteAMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "and (2)" delete "R.S. 14:35.3(C)(1)" and insert "R.S. 14:35.3(B), and (C)(1)"

AMENDMENT NO. 2

On page 1, after "battery;" and before "to" insert "to provide definitions;"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." and before "and (2)" delete "R.S. 14:35.3(C)(1)" and insert "R.S. 14:35.3(B) and (C)(1)"

AMENDMENT NO. 4

On page 1, between lines 11 and 12 insert the following:

"B. For purposes of this Section, the following words have the following meanings:

(1) "Burning" means an injury to flesh or skin caused by heat, electricity, friction, radiation, or any other chemical or thermal reaction.

(2) "Community service activities" as used in this Section may include duty in any morgue, coroner's office, or emergency treatment room of a state-operated hospital or other state-operated emergency treatment facility, with the consent of the administrator of the morgue, coroner's office, hospital, or facility.

(3) "Coercive control" means a pattern of acts or assaults, threats, humiliation and intimidation of domestic abuse that is used to harm, punish, or frighten.

~~(3)~~ (4) "Court-monitored domestic abuse intervention program" means a program, comprised of a minimum of twenty-six in-person sessions occurring over a minimum of twenty-six weeks, that follows a model designed specifically for perpetrators of domestic abuse. The offender's progress in the program shall be monitored by the court. The provider of the program shall have all of the following:

(a) Experience in working directly with perpetrators and victims of domestic abuse.

(b) Experience in facilitating batterer intervention groups.

(c) Training in the causes and dynamics of domestic violence, characteristics of batterers, victim safety, and sensitivity to victims.

(5) "Domestic abuse" includes but is not limited to physical or sexual abuse and any offense against the person as defined in the Louisiana Criminal Code, except negligent injury and defamation, committed by one family member or household member against another. "Domestic abuse" also includes abuse of adults as defined in R.S. 15:1503 when committed by an adult child or grandchild.

~~(4)~~ (6) "Family member" means spouses, former spouses, parents, children, stepparents, stepchildren, foster parents, and foster children.

~~(5)~~ (7) "Household member" means any person of the opposite sex presently or formerly living in the same residence with the offender as a spouse, whether married or not, or any child presently or formerly living in the same residence with the offender, or any child of the offender regardless of where the child resides.

~~(6)~~ (8) "Serious bodily injury" means bodily injury that involves unconsciousness, extreme physical pain, or protracted and obvious disfigurement,

1 or protracted loss or impairment of the function of a bodily member, organ, or
2 mental faculty, or a substantial risk of death.
3 ~~(7)~~ (9) "Strangulation" means intentionally impeding the normal breathing
4 or circulation of the blood by applying pressure on the throat or neck or by blocking
5 the nose or mouth of the victim."

6 AMENDMENT NO. 5

7 On page 3, delete lines 4 through 14 in their entirety and insert the following:

8 "N. Notwithstanding any other provision of law to the contrary, if the
9 domestic abuse battery involves coercive control, the offender shall be imprisoned
10 with or without hard labor for not more than three years."