

1 §2. Definitions

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3 B. In this Code, "crime of violence" means an offense that has, as an
4 element, the use, attempted use, or threatened use of physical force against the
5 person or property of another, and that, by its very nature, involves a substantial risk
6 that physical force against the person or property of another may be used in the
7 course of committing the offense or an offense that involves the possession or use
8 of a dangerous weapon. The following enumerated offenses and attempts to commit
9 any of them are included as "crimes of violence":

10 * * *

11 (48) Domestic abuse battery punishable under R.S. 14:35.3(L), (M)(2), or
12 (N), (O), or (P).

13 (49) Battery of a dating partner punishable under ~~R.S. 14:34.9(L)(2)~~ R.S.
14 14:34.9(L), (M)(2), (N), (O), or (P).

15 * * *

16 §34.9. Battery of a dating partner

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18 J. Any felony crime of violence, as defined by R.S. 14:2(B), against a person
19 committed by one dating partner against another dating partner, shall be designated
20 as an act of domestic abuse for consideration in any civil or criminal proceeding.

21 ~~J.K.~~ Notwithstanding any provision of law to the contrary, if the victim of
22 the offense is pregnant and the offender knows that the victim is pregnant at the time
23 of the commission of the offense, the offender, in addition to any other penalties
24 imposed pursuant to this Section, shall be imprisoned at hard labor for not more than
25 three years.

26 ~~K.L.~~ Notwithstanding any provision of law to the contrary, if the offense
27 involves strangulation, the offender, in addition to any other penalties imposed
28 pursuant to this Section, shall be imprisoned at hard labor for not more than three
29 years.

1 Section 2. R.S. 46:2132(4) is hereby amended and reenacted to read as follows:

2 §2132. Definitions

3 As used in this Part:

4 * * *

5 (4) "Family members" means spouses, former spouses, parents and children,
6 stepparents, stepchildren, foster parents, ~~and~~ foster children, other ascendants, and
7 other descendants. "Family member" also means the other parent or foster parent of
8 any child or foster child of the offender. "Household members" means any person
9 presently or formerly living in the same residence with the defendant and who is
10 involved or has been involved in a sexual or intimate relationship with the defendant
11 and who is seeking protection under this Part. "Dating partner" means any person
12 protected from violence under R.S. 46:2151 who is seeking protection under this
13 Part. If a parent or grandparent is being abused by an adult child, adult foster child,
14 or adult grandchild, the provisions of this Part shall apply to any proceeding brought
15 in district court.

16 Section 3. Code of Evidence Article 412.4(D)(3) and (4) is hereby amended and
17 reenacted to read as follows:

18 Art. 412.4. Evidence of similar crimes, wrongs, or acts in domestic abuse cases and
19 cruelty against juveniles cases

20 * * *

21 D. For purposes of this Article:

22 * * *

23 (3) "Family member" means spouses, former spouses, parents and children,
24 stepparents, stepchildren, foster parents, ~~and~~ foster children, other ascendants, and
25 other descendants. "Family member" also means the other parent or foster parent of
26 any child or foster child of the offender.

