

Regular Session, 2014

HOUSE BILL NO. 395

BY REPRESENTATIVE ALFRED WILLIAMS

COURTS: Provides relative to penalties for contempt of court

1 AN ACT

2 To amend and reenact R.S. 13:4611(1)(d), relative to penalties for contempt of court; to
3 provide for alternative penalties; to provide for the penalty of court-approved litter
4 abatement or community service; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:4611(1)(d) is hereby amended and reenacted to read as follows:

7 §4611. Punishment for contempt of court

8 Except as otherwise provided for by law:

9 (1) The supreme court, the courts of appeal, the district courts, family courts,
10 juvenile courts and the city courts may punish a person adjudged guilty of a
11 contempt of court therein, as follows:

12 * * *

13 (d)(i) For any other contempt of court, including disobeying an order for the
14 payment of child support or spousal support or an order for the right of custody or
15 visitation, by a fine of not more than five hundred dollars, or imprisonment for not
16 more than three months, or both.

17 (ii) In addition to or in lieu of the penalties provided by this Paragraph, the
18 court may order that the person perform litter abatement work or community service
19 in a court-approved program for each day he was to be imprisoned, provided that the

1 total days of jail, litter abatement work, and community service do not exceed the
2 maximum sentence provided by this Paragraph.

3 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Alfred Williams

HB No. 395

Abstract: Provides that penalties for contempt of court may include court-approved litter abatement or community service.

Present law provides that the supreme court, the courts of appeal, the district courts, family courts, juvenile courts, and the city courts may punish a person adjudged guilty of a contempt of court for certain actions, including direct contempt of court committed by an attorney at law, and for disobeying or resisting a lawful restraining order, or preliminary or permanent injunction.

Present law provides a range of monetary penalties and days of imprisonment for each type of contempt and for any subsequent contempt of the same court.

Present law provides that the court may punish a person for any other contempt of court, including disobeying an order for the payment of child support or spousal support or an order for the right of custody or visitation, by a fine of not more than \$500, or imprisonment for not more than three months, or both.

Proposed law provides that, in addition to or in lieu of the penalties provided by present law, the penalties for contempt of court may include court-approved litter abatement or community service, not to exceed the maximum sentence as provided by present law.

(Amends R.S. 13:4611(1)(d))