

Regular Session, 2010

HOUSE BILL NO. 497

BY REPRESENTATIVE LAFONTA

COURTS/SUPREME COURT: Provides for certain information to be sent to the judicial administrator of the Supreme Court

1 AN ACT

2 To enact R.S. 13:4688 and to repeal R.S. 9:2800.7, relative to reporting information
3 concerning actions for offenses and quasi offenses; to provide for the reporting of
4 actions to the judicial administrator of the supreme court; to provide for fees; to
5 repeal provisions requiring reporting of specified information to the commissioner
6 of insurance; to repeal the required categories for reporting monetary damages
7 awarded; to repeal provisions requiring the commissioner of insurance to create an
8 advisory committee; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 13:4688 is hereby enacted to read as follows:

11 §4688. Actions for offenses and quasi offenses; reporting

12 A. When a suit has been filed in state district court for damages arising from
13 an offense or quasi offense, including but not limited to wrongful death or
14 redhibition, the clerk of court shall submit information as required by rule of the
15 Supreme Court of Louisiana to the office of the judicial administrator of the supreme
16 court. The judicial administrator shall provide for the method of communication of
17 information provided pursuant to the provisions of this Section.

18 B. A processing fee of five dollars for the clerk of court and five dollars for
19 the office of the judicial administrator shall be taxed as costs of court in each suit on
20 which the information required by supreme court rule is submitted by the clerk of

- 1 court. The fees shall be paid only at the conclusion or dismissal of the suit and shall
 2 not exceed a total of ten dollars for each suit.
- 3 C. The information received by the judicial administrator pursuant to the
 4 supreme court rules shall not be subject to subpoena for any purpose by any court or
 5 public or legislative body. No state official or employee, clerk of court, nor an
 6 employee of a clerk of court shall be subject to subpoena by any court or public or
 7 legislative body for the purpose of providing evidence of information provided or
 8 obtained pursuant to the supreme court rules.
- 9 Section 2. R.S. 9:2800.7 is hereby repealed in its entirety.
- 10 Section 3. This Act shall become effective on January 1, 2012.

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)]

LaFonta

HB No. 497

Abstract: Repeals reporting requirements concerning suits filed in district court for damages by the clerk of court to the commissioner of insurance and requires limited reporting of information to the judicial administrator of the supreme court as required by supreme court rule.

Present law provides that when a suit has been filed in state district court for damages arising from an offense or quasi offense, the clerk of court or an insurer lawfully authorized to transact business in this state shall submit required information to the commissioner of insurance. Requires the clerk of court to submit information including the names of the parties, the nature of the injuries involved in the suit, and information regarding a settlement or judgment in the suit. Provides for the information to be submitted within a certain period of time.

Proposed law repeals present law and provides when a suit has been filed in state district court for damages arising from an offense or quasi offense, the clerk of court shall submit information as required by supreme court rule to the judicial administrator of the supreme court.

Present law provides that a processing fee of \$5 for the clerk of court and \$5 for the office of commissioner of insurance shall be taxed as costs of court in each suit on which the required information is submitted by the clerk of court.

Proposed law repeals provisions of present law and provides that a processing fee of \$5 for the clerk of court and \$5 for the office of the judicial administrator shall be taxed as costs of court in each suit on which the required information by supreme court rule is submitted by the clerk of court.

Proposed law repeals provisions of present law which provides that information received by the commissioner of insurance shall not be subject to subpoena, and provides that

information received by the judicial administrator pursuant to supreme court rules shall not be subject to subpoena.

Effective Jan. 1, 2012.

(Adds R.S. 13:4688; Repeals R.S. 9:2800.7)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Judiciary to the original bill.

1. Changed the effective date from Jan. 1, 2011 to Jan. 1, 2012.