

2026 Regular Session

SENATE BILL NO. 357

BY SENATOR REESE

COURTS. Provides relative to the courts and the judiciary. (8/1/26)

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AN ACT

To amend and reenact R.S. 13:72.1 and 74, to enact R.S. 13:103.1, and to repeal R.S. 13:75, relative to the courts and the judiciary; to provide relative to the supreme court; to provide relative to courts of last resort of other states; to provide relative to adoption of rules; to provide relative to criers for the supreme court; to provide relative to the court's security personnel; to provide relative to statewide police power; to provide relative to the deputy secretary of public safety services; to provide relative to a justice's primary residence; to provide relative to certain vouchered expenses; to provide relative to reimbursement for official expenses; to provide relative to duly adopted rules of the court; to provide relative to employee compensation; to provide relative to public retirement systems; to provide relative to retirement of a crier of the supreme court; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:72.1 and 74 are hereby amended and reenacted and R.S. 13:103.1 is hereby enacted to read as follows:

§72.1. Declaration of state law to federal **or other** courts

A. The supreme court of this state may, by rule of court, provide that when

1 it shall appear to the Supreme Court of the United States, or to any court of appeals
 2 of the United States, or to the courts of last resort of other states, that there are
 3 involved, in any proceeding before it, questions or propositions of the laws of this
 4 state, which are determinative of the said cause, and there is no clear controlling
 5 precedent in the decisions of the supreme court of this state, such ~~federal appellate~~
 6 court may certify such questions or propositions of the laws of this state to the
 7 supreme court of this state for instructions concerning such questions or propositions
 8 of state law, which certificate the supreme court of this state may, by written opinion,
 9 answer.

10 B. The supreme court of this state is hereby authorized and empowered to
 11 adopt all rules it deems appropriate to administer this Section and to collaborate
 12 with any and all other courts of last resort of other states and of the United States in
 13 the preparation and approval of uniform rules of court to make effective this and
 14 similar laws. The provisions of Subsection A of this Section are applicable and
 15 operative only to the extent of any rules duly adopted by the supreme court.

16 * * *

17 §74. Crier for Supreme Court; salary

18 There shall ~~may~~ be a crier one or more criers for the supreme court, who
 19 shall be appointed by the judges of the supreme court from among the court's
 20 security personnel, and be commissioned by the civil sheriff for the parish of
 21 Orleans as a deputy sheriff. ~~The crier shall receive from the state treasury on his own~~
 22 ~~warrant approved by the chief justice the sum of thirty-one hundred dollars, per~~
 23 ~~annum, payable monthly.~~ Security personnel commissioned pursuant to this
 24 Section shall be considered members of a bona fide police agency and may
 25 additionally be designated by the court as requiring statewide police power
 26 pursuant to R.S. 40:1379.1 in the same manner as provided for in Subsection N
 27 of that Section. Upon request, the deputy secretary of public safety services, or
 28 his designee, may also facilitate additional security assistance for the court.

29 * * *

1 **§103.1. Expenses of the supreme court**

2 **A. Any justice whose primary residence is more than fifty miles from the**
 3 **courthouse may elect all or part of any amount due under R.S. 13:103 to be**
 4 **reimbursed as a vouchered expense pursuant to an accountable plan maintained**
 5 **in accordance with Title 26 of the United States Code, provided that the election**
 6 **shall be for an entire fiscal year and the total amount claimed shall not exceed**
 7 **the amounts otherwise provided for under that Section.**

8 **B. Reimbursement for other official expenses paid from available funds**
 9 **shall be subject to the court's duly adopted rules.**

10 **C. Any amounts reimbursed under this Section shall not be considered**
 11 **employee compensation for the purposes of any public retirement system.**

12 Section 2. R.S. 13.75 is hereby repealed.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 357 Engrossed

2026 Regular Session

Reese

Present law (R.S. 13:72.1) provides that the supreme court of this state may, by rule of court, provide that when it shall appear to the U.S. Supreme Court, or to any U.S. court of appeals, that there are involved, in any proceeding before it, questions or propositions of the laws of this state, which are determinative of the said cause, and there is no clear controlling precedent in the decisions of the supreme court of this state, such federal appellate court may certify such questions or propositions of the laws of this state to the supreme court of this state for instructions concerning such questions or propositions of state law, which certificate the supreme court of this state may, by written opinion, answer.

Proposed law retains present law, and provides that the supreme court of this state may, by rule of court, provide that when it shall appear to the U.S. Supreme Court, or to any U.S. court, or to the courts of last resort of other states, that there are involved, in any proceeding before it, questions or propositions of the laws of this state, which are determinative of the said cause, and there is no clear controlling precedent in the decisions of the supreme court of this state, such court may certify such questions or propositions of the laws of this state to the supreme court of this state for instructions concerning such questions or propositions of state law, which certificate the supreme court of this state may, by written opinion, answer.

Present law provides that the supreme court of this state is hereby authorized and empowered to collaborate with any and all other courts of last resort of other states and of the U.S. in the preparation and approval of uniform rules of court to make effective this and similar laws.

Proposed law provides that the supreme court of this state is hereby authorized and empowered to adopt all rules it deems appropriate to administer proposed law and to

collaborate with any and all other courts of last resort of other states and of the U.S. in the preparation and approval of uniform rules of court to make effective this and similar laws. Further provides that the provisions of proposed law are applicable and operative only to the extent of any rules duly adopted by the supreme court.

Present law (R.S. 13:74) provides that there shall be a crier for the supreme court, who shall be appointed by the judges of the supreme court, and be commissioned by the civil sheriff for the parish of Orleans as a deputy sheriff. Provides that the crier shall receive from the state treasury on his own warrant approved by the chief justice the sum of \$3,100.00, per annum, payable monthly.

Proposed law repeals the present law requirement that the crier shall receive from the state treasury on his own warrant approved by the chief justice the sum of \$3,100.00, per annum, payable monthly.

Proposed law provides that there may be one or more criers for the supreme court, who shall be appointed by the judges of the supreme court from among the court's security personnel, and be commissioned by the civil sheriff for the parish of Orleans as a deputy sheriff. Provides that the crier shall receive from the state treasury on his own warrant approved by the chief justice the sum of \$3,100.00, per annum, payable monthly. Further provides that security personnel commissioned pursuant to proposed law shall be considered members of a bona fide police agency and may additionally be designated by the court as requiring statewide police power pursuant to present law (R.S. 40:1379.1). Provides that upon request, the deputy secretary of public safety services, or his designee, may also facilitate additional security assistance for the court.

Proposed law provides that any justice whose primary residence is more than 50 miles from the courthouse may elect all or part of any amount due under present law (R.S. 13:103) to be reimbursed as a vouchered expense pursuant to an accountable plan maintained in accordance with present law (Title 26 of the U.S. Code), provided that the election shall be for an entire fiscal year and the total amount claimed shall not exceed the amounts otherwise provided for under present law.

Proposed law provides that reimbursement for other official expenses paid from available funds shall be subject to the court's duly adopted rules.

Proposed law provides that any amounts reimbursed under proposed law shall not be considered employee compensation for the purposes of any public retirement system.

Present law (R.S. 13:75) provides for the retirement pay of a crier of the supreme court after a certain continuous service period at the age of 80 years old. Further provides for the manner in which the crier shall draw his retirement pay, how the legislature shall appropriate such pay, and how the crier shall notify the chief justice, the secretary of state, and the civil sheriff for the parish of Orleans of certain facts upon his retirement. Further provides for the manner in which the vacancy created by such retirement shall be filled.

Proposed law repeals present law.

Effective August 1, 2026.

(Amends R.S. 13:72.1 and 74; adds R.S. 13:103.1; repeals R.S. 13:75)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Removes the requirement that the crier shall receive from the state treasury

on his own warrant approved by the chief justice the sum of \$3,100.00, per annum, payable monthly.