
DIGEST

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HB 214 Original

2019 Regular Session

Jenkins

Abstract: Adds decisions or orders by the Dept. of Environmental Quality to the exception excluding legal holidays in the computation of a period of time allowed or prescribed to seek rehearing, reconsideration, or judicial review or appeal of a decision or order by an agency in the executive branch of state government.

Present law (C.C.P. Art. 5059) provides that in computing a period of time allowed or prescribed by law or by order of court, the date of the act, event, or default after which the period begins to run is not to be included. Provides that the last day of the period is to be included, unless it is a legal holiday, in which event the period runs until the end of the next day which is not a legal holiday.

Present law provides that a half-holiday is considered a legal holiday. Provides that a legal holiday is to be included in the computation of a period of time allowed or prescribed, except when:

- (1) It is expressly excluded.
- (2) It would otherwise be the last day of the period.
- (3) The period is less than seven days.

Present law provides that a legal holiday is excluded in the computation of a period of time allowed or prescribed to seek rehearing, reconsideration, or judicial review or appeal of a decision or order by an agency in the executive branch of state government.

Present law provides an exception for the rehearing, reconsideration, or judicial review or appeal of a decision or order by the Dept. of Revenue.

Proposed law retains present law except adds decisions or orders by the Dept. of Environmental Quality to the exception.

(Amends C.C.P. Art. 5059(C)(2))