
 DIGEST

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DIGEST

Perry (SB 149)

Proposed law provides when a governmental agency offers online applications through an internet interface for any license or permit, and the particular law for such license or permit requires a sworn application for such license or permit, the governmental agency may accept an online certification from the applicant in lieu of the sworn application.

Proposed law provides that the online certification shall require the applicant to certify that all of the information and documentation the applicant submits via the online application through an internet interface must be true and correct, and that the applicant has not used a false or fictitious name in such application, and that the applicant has not knowingly made a false statement or has not knowingly concealed any material fact or otherwise committed any fraud in any such application for a license or permit. Provides an exception from the proposed law requirement for use by a governmental agency of any online certification provisions included in a nationwide online licensing or registration system.

Proposed law provides that a governmental agency that elects to accept online applications through an internet interface, and thus accept an online certification in lieu of a sworn application, shall promulgate such rules and regulations as are necessary to implement such online certification.

Proposed law provides that the acceptance of an online application with the certification, in lieu of the sworn application otherwise required by law, shall not result in, or create any liability on the part of the state or the governmental agency.

Effective upon signature of the governor or lack of gubernatorial action.

(Adds R.S. 9:2621)

Summary of Amendments Adopted by Senate

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

1. Adds reference to R.S. 9:2619, which recognizes that the commissioner of administration may seek consistency among governmental agency rules regarding online certification procedures.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Civil Law and Procedure to the engrossed bill.

1. Added exception for governmental agencies using certain online certification provisions.
2. Added effective date upon signature of the governor.