

SENATE BILL NO. 606

BY SENATOR MARTINY

1 AN ACT

2 To amend and reenact Code of Civil Procedure Articles 253(C) and 1911 and R.S.
3 9:2603(B)(4) and to enact Code of Civil Procedure Article 253(D), relative to court
4 procedures; to provide relative to the use of electronic signatures by the court; to
5 provide certain procedures, terms, and conditions; to provide relative to certain
6 documents, orders and judgments; to provide relative to Louisiana Uniform
7 Electronic Transactions Act; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Code of Civil Procedure Articles 253(C) and 1911 are hereby amended
10 and reenacted and Code of Civil Procedure Article 253(D) is hereby enacted to read as
11 follows:

12 Art. 253. Pleadings, documents, and exhibits to be filed with clerk

13 * * *

14 C. **A judge or justice presiding over a court in this state may sign a court**
15 **order, notice, official court document, and other writings required to be**
16 **executed in connection with court proceedings, by use of an electronic signature**
17 **as defined by R.S. 9:2602. The various courts shall provide by court rule for the**
18 **method of electronic signature to be used and to ensure the authenticity of the**
19 **electronic signature.**

20 **D.** Any pleading or document in a traffic or criminal action may be filed with
21 the court by facsimile transmission in compliance with the provision of the Code of
22 Criminal Procedure Article 14.1.

23 * * *

1 Art. 1911. Final judgment; partial final judgment; signing; appeals

2 Except as otherwise provided by law, every final judgment shall be signed
 3 by the judge. **Judgments may be signed by the judge by use of electronic**
 4 **signature. The various courts shall provide by court rule for the method of**
 5 **electronic signature to be used and to ensure the authenticity of the electronic**
 6 **signature.** For the purpose of an appeal as provided in Article 2083, no appeal may
 7 be taken from a final judgment until the requirement of this Article has been
 8 fulfilled. No appeal may be taken from a partial final judgment under Article
 9 1915(B) until the judgment has been designated a final judgment under Article
 10 1915(B). An appeal may be taken from a final judgment under Article 1915(A)
 11 without the judgment being so designated.

12 Section 2. R.S. 9:2603(B)(4) is hereby amended and reenacted to read as follows:

13 §2603. Scope

14 * * *

15 B. This Chapter shall not apply to:

16 * * *

17 (4)(a) A law governing adoption, divorce, or other matters of family law.

18 (b) ~~Court orders or notices, or official court documents, including briefs,~~
 19 ~~pleadings, and other writings, required to be executed in connection with court~~
 20 ~~proceedings, except as otherwise provided by law.~~

21 (c) Any notice of **any of the following**:

22 (i) The cancellation or termination of utility services, including water, heat,
 23 and power.

24 (ii) Default, acceleration, repossession, foreclosure, or eviction, or the right
 25 to cure, under a credit agreement secured by, or a rental agreement for, a primary
 26 residence of an individual.

27 (iii) The cancellation or termination of health insurance or benefits or life
 28 insurance benefits, excluding annuities.

29 (iv) Recall of a product, or material failure of a product, that risks
 30 endangering health or safety.

1 ~~(c)~~(c) Any document required to accompany any transportation or handling
2 of hazardous materials, pesticides, or other toxic or dangerous materials.

3 ~~(d)~~(d) Publications required by law to be published in the official journals
4 provided for in Chapter 2, 4, or 5 of Title 43 of the Louisiana Revised Statutes of
5 1950.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____