

2015 Regular Session

HOUSE BILL NO. 241

BY REPRESENTATIVE BARRAS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC PRINTING: Provides relative to the distribution and sale of certain public documents

1 AN ACT

2 To amend and reenact R.S. 24:205, R.S. 25:125, and R.S. 43:22, to enact R.S. 24:173.1, and
3 to repeal R.S. 24:173, relative to certain state publications and documents; to remove
4 certain provisions requiring the secretary of state to distribute certain publications
5 and documents to specified persons and public entities; to provide for the distribution
6 of certain publications and documents to specified libraries; to remove certain
7 provisions providing certain publications to certain persons and public entities free
8 of charge; to provide relative to the fees collected for certain publications by the
9 secretary of state; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 24:205 is hereby amended and reenacted and R.S. 24:173.1 is hereby
12 enacted to read as follows:

13 §173.1. Distribution of Acts and journals

14 In addition to the distribution required by R.S. 25:125, after each session of
15 the legislature, the secretary of state shall distribute one copy of the Acts and
16 journals of each house of the legislature to the State Library of Louisiana and one
17 copy of the Acts of the legislature to both the Huey P. Long Memorial Library and
18 the Law Library of Louisiana at New Orleans.

19 * * *

1 §205. Reports; advisory capacity; printing and distribution of reports

2 The Louisiana State Law Institute, in submitting reports to the legislature
3 shall act solely in an advisory capacity. Its reports, studies, and recommended
4 publications shall be ~~printed and shall be distributed through the Secretary of State~~
5 ~~in the same manner as acts of the legislature~~ public and available as provided by law.

6 Section 2. R.S. 25:125 is hereby amended and reenacted to read as follows:

7 §125. Documents to be supplied to law library of state university; exchanges

8 A. The secretary of state shall deliver to the law library of Louisiana State
9 University and Agricultural and Mechanical College the following public documents,
10 not later than ninety days after they are printed from time to time: ~~ten~~ three copies
11 of the Acts of the legislature, ~~five~~ two copies of the journals of each house of the
12 legislature, and ~~five~~ two copies of the proceedings of any constitutional convention.

13 B. In any contract which the Supreme Court may make for the printing of the
14 supreme court reports, provision shall be made that the printer thereof shall deliver
15 to the law library of Louisiana State University and Agricultural and Mechanical
16 College, without charge, fifty copies of each volume thereof within a reasonable time
17 after printing.

18 C. The law library of the Louisiana State University and Agricultural and
19 Mechanical College shall exchange the public documents ~~enumerated in~~ received
20 pursuant to this Section for publications relating to government useful to students of
21 public law and to public officials; and shall catalogue such material so as to make it
22 serviceable to members of the legislature.

23 Section 3. R.S. 43:22 is hereby amended and reenacted to read as follows:

24 §22. Sale of ~~acts~~; Acts; price

25 The secretary of state shall retain and keep in the state archives at all times
26 one printed copy and one microfilm copy of the ~~acts~~ Acts of the legislature delivered
27 to him ~~under the provisions of as provided in~~ R.S. 43:19, ~~and, after making the~~
28 ~~distributions authorized by R.S. 24:173 and R.S. 25:125.~~ The secretary of state shall
29 collect from any person or public or private entity to which he distributes a copy or

1 copies of the ~~acts~~ Acts of the legislature, except any state agency or official of the
 2 state to which he is required by law to distribute copies, ~~including members of the~~
 3 legislature, a fee equal to the cost, plus ten percent of such cost, of printing and
 4 delivery thereof. ~~The proceeds from collection of such fees shall be remitted by the~~
 5 secretary of state to the Supreme Court of Louisiana for the purchase of law books
 6 for the Law Library of Louisiana at New Orleans.

7 Section 4. R.S. 24:173 is hereby repealed in its entirety.

8 Section 5. This Act shall become effective upon signature by the governor or, if not
 9 signed by the governor, upon expiration of the time for bills to become law without signature
 10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 11 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 12 effective on the day following such approval.

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)]

HB 241 Reengrossed

2015 Regular Session

Barras

Abstract: Removes provisions requiring the secretary of state to distribute certain publications and documents to specified officials and certain public agencies and removes provisions requiring that the fees collected for copies of the Acts of the legislature be remitted by the secretary of state to the supreme court for the purchase of law books for the Law Library of La. at New Orleans. Reduces the number of copies of certain documents provided to certain libraries free of charge.

Present law (R.S. 24:173) requires the secretary of state to distribute the current Acts and journals of the legislature to the following:

- (1) Each legislator, upon request in writing to the secretary no later than Sept. 1 of each year, not more than two copies of the Acts and journals.
- (2) Each department of state government and each state agency so designated by law, one copy of the Acts.
- (3) Each district attorney and sheriff and each clerk of the civil and criminal district courts throughout the state, one copy of the Acts; the clerk of each city, municipal, and juvenile court, one copy of the Acts and journals; and to the clerk or secretary of each parish governing authority, one copy of the Acts.
- (4) Each clerk of the courts of appeal of the state, three copies of the Acts.
- (5) The clerk of the Supreme Court of La., seven copies of the Acts and journals.

- (6) The clerk of each of the U.S. courts of appeal and district courts in and for the state of La., one copy of the Acts.
- (7) Each U.S. Senator and Representative elected from La., one copy of the Acts.
- (8) The State Library of La. and the Huey P. Long Memorial Library, three copies of the Acts and journals.
- (9) The Law Library of La. at New Orleans, 25 copies of the Acts to be used for library purposes and exchange purposes with state libraries of other states or other department or agencies thereof.

Present law further authorizes the secretary of state to distribute copies of Acts of the legislature to foreign governments or foreign institutions of learning as a means of promoting the free interchange of information regarding current social and legal developments.

Proposed law repeals present law. Proposed law instead requires the secretary of state to distribute one copy of the Acts and journals of each house of the legislature to the State Library of La. and one copy of the Acts of the legislature to both the Huey P. Long Memorial Library and the Law Library of La. at New Orleans.

Present law (R.S. 24:205) further requires the secretary of state to print and distribute the reports, studies, and recommended publications of the La. State Law Institute in the same manner as the Acts of the legislature. Proposed law removes this requirement and provides instead that such reports, studies, and recommended publications are public and available as provided by law.

Present law (R.S. 25:125) requires the secretary of state to deliver to the law library of LSU, no later than 90 days after they are printed, 10 copies of the Acts; five copies of the journals; and five copies of the proceedings of any constitutional convention. Requires the law library to exchange such documents for publications related to government useful to students of public law and to public officials, and to catalogue such material so as to make it serviceable to members of the legislature. Proposed law reduces the number of copies to three copies of the Acts, two copies of the journals, and two copies of the proceedings of any constitutional convention and otherwise retains present law.

Present law (R.S. 43:22) requires the secretary of state to retain and keep in the state archives one printed copy and one microfilm copy of the Acts of the legislature, and after making the distributions required by present law (R.S. 24:173 and R.S. 25:125), to collect from any person or public or private entity to which he distributes a copy (except those to which he is required by law to distribute copies) a fee equal to the cost of printing and delivery plus 10%. Provides that the proceeds shall be remitted by the secretary of state to the Supreme Court for the purchase of law books for the Law Library of La. at New Orleans.

Proposed law removes the references to the distributions required by present law (R.S. 24:173 and R.S. 25:125) and removes the exception from the fee for such distributions for officials of the state. Further removes the requirement that the secretary of state remit the fee to the Supreme Court for the purchase of law books for the Law Library of La. at New Orleans. Otherwise retains present law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 24:205, R.S. 25:125, and R.S. 43:22; Adds R.S. 24:173.1; Repeals R.S. 24:173)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Restore the requirement for the provision of copies of Acts and journals, as the case may be, to the State Library of La., Huey P. Long Memorial Library, and the Law Library of La. at New Orleans, but at a reduced number of copies.
2. Restore the requirement for the provision of copies of Acts, journals, and constitutional convention records to the LSU law library, but at a reduced number of copies.
3. Restore the requirement that the secretary of state distribute copies of the Acts free of charge to any state agency to which he is required by law to distribute copies.