

**RÉSUMÉ DIGEST**

**ACT 109 (HB 331)**

**2016 Regular Session**

**Gregory Miller**

Existing law provides that any paper in a civil action may be filed with the court by facsimile transmission, and requires all clerks of court to make equipment available to accommodate facsimile filing in civil actions.

Prior law provided that filing shall be deemed complete at the time the facsimile transmission is received, and a receipt of transmission was sent by the clerk.

New law retains prior law but removes the prior law requirement that filing is complete after the clerk of court transmits a receipt of transmission to the sender.

New law requires, no later than on the first business day after receiving a facsimile filing, the clerk of court to transmit to the filing party via facsimile a confirmation of receipt and include a statement of the fees for the facsimile filing and filing the original document.

New law requires the original document to be identical to the facsimile filing with respect to the number of pages and in the content of each page.

New law further provides that the facsimile filing fee and transmission fee are incurred upon receipt of the facsimile filing by the clerk of court.

New law also provides that if the filing party subsequently files the identical original documents within seven days and pays the required fees, the facsimile filing shall have the same force and effect as filing the original document. If not, the facsimile filing has no effect.

Effective August 1, 2016.

(Amends R.S. 13:850(A), (B), and (C) and 2562.25(A), (B), and (C) and C.Cr.P. Art. 14.1(A), (B), and (C))