
DIGEST

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HB 244 Reengrossed

2017 Regular Session

Hilferty

Abstract: Adds an additional exception in the Code of Evidence to the requirement of establishing authenticity of a business record which follows Federal Rule of Evidence 902(11).

Present law (C.E. Art. 902) provides, in part, that proof of authenticity as a condition precedent to admissibility is not required with respect to domestic certain public documents, both under seal and not under seal, certain foreign public documents, Acts of Congress and the Louisiana Legislature, official publications, newspapers and periodicals, trade inscriptions, authentic and acknowledged acts, commercial paper, and certain labor reports from the Louisiana Workforce Commission, or from any state or federal reporting agency.

Present law (R.S. 13:3733) provides the business records reproduced by any electronic or photographic process meeting certain criteria shall be deemed an original or authentic copy of the original record and shall be deemed authentic evidence for all purposes, satisfying the requirements of C.E. Arts. 901 and 902.

Present law (C.E. Art. 803(6)) provides a hearsay exception for records of regularly conducted business activities.

Proposed law (C.E. Art. 902(11)) adds an additional exception in the Code of Evidence to the requirement of establishing authenticity of a business record which follows present law Federal Rule of Evidence 902(11).

(Adds C.E. Art. 902(11))