

RÉSUMÉ DIGEST

ACT 363 (HB 560)

2017 Regular Session

Hunter

Existing law provides that a member of the legislature and a legislative employee shall have peremptory grounds for continuance or extension of a criminal case, civil case, or administrative proceeding.

Existing law provides that the peremptory grounds for continuance are available:

- (1) Any time between 30 days prior to the original call to order and 30 days following the adjournment sine die of any legislative session.
- (2) Any time between 30 days prior to convening and 30 days following adjournment sine die of any constitutional convention.

Existing law also provides that peremptory grounds are available when a legislator or employee is engaged in activities in connection with or ordered by: (1) the legislature; (2) any legislative committee or subcommittee appointed by the president of the Senate or the speaker of the House of Representatives; (3) any committee or commission appointed by the governor or other person authorized to make such appointments; or (4) any constitutional convention or commission.

Prior law required verification of the notice of a meeting or call for legislative session.

New law removes the requirement that the clerk of the House of Representatives or the secretary of the Senate file an affidavit verifying the issuance of the notice or call for legislative session.

New law provides that existing law shall not be used to impede peremptory nature of existing law and new law.

Prior law provided that for sufficient cause shown, the court was allowed to consider a motion for legislative continuance at any time prior to the hearing.

New law provides that the court shall consider a motion for legislative continuance at any time prior to the hearing.

New law authorizes the motion to be filed by facsimile transmission or electronic mail, provided the mover provides all parties with a copy of the motion.

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

(Amends R.S. 13:4163(E)(1)(b), and (I); Adds R.S. 13:4163(E)(1)(c))