
DIGEST

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HB 288 Engrossed

2018 Regular Session

Jackson

Abstract: Provides that legal holidays are excluded in the computation of a period of time allowed or prescribed to seek rehearing, reconsideration, or judicial review or appeal of a decision or order by an agency in the executive branch of state government, except for the Dept. of Revenue

Present law (C.C.P. Art. 5059) provides that in computing a period of time allowed or prescribed by law or by order of court, the date of the act, event, or default after which the period begins to run is not to be included. Provides that the last day of the period is to be included, unless it is a legal holiday, in which event the period runs until the end of the next day which is not a legal holiday.

Present law provides that a half-holiday is considered a legal holiday. Provides that a legal holiday is to be included in the computation of a period of time allowed or prescribed, except when:

- (1) It is expressly excluded.
- (2) It would otherwise be the last day of the period.
- (3) The period is less than seven days.

Proposed law retains present law. Additionally provides that a legal holiday shall be excluded in the computation of a period of time allowed or prescribed to seek rehearing, reconsideration, or judicial review or appeal of a decision or order by an agency in the executive branch of state government.

Proposed law provides an exception from proposed law for the rehearing, reconsideration, or judicial review or appeal of a decision or order by the Dept. of Revenue.

(Amends C.C.P. Art. 5059)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Add an exception from proposed law for the Dept. of Revenue.