

2018 Regular Session

HOUSE BILL NO. 744

BY REPRESENTATIVE LEGER

COURTS: Provides for authority of courts in times of an emergency or disaster

1 AN ACT

2 To enact Code of Civil Procedure Article 196.1, relative to the power of courts to act during
3 emergencies or disasters; to provide for the authority to sign orders and judgments;
4 to provide for the content of orders and judgments; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Civil Procedure Article 196.1 is hereby enacted to read as
8 follows:

9 Art. 196.1. Power of courts to act during emergencies

10 A. A district court or a court of limited jurisdiction may sign orders and
11 judgments while outside of its territorial jurisdiction during an emergency or disaster
12 declared as such pursuant to R.S. 29:724(B) if the emergency or disaster prevents the
13 court from operating in its own jurisdiction.

14 B. The court shall indicate the location where the order or judgment was
15 signed on any order or judgment signed outside of the court's territorial jurisdiction
16 pursuant to this Article.

DIGEST

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HB 744 Reengrossed

2018 Regular Session

Leger

Abstract: Allows district courts and courts of limited jurisdiction to sign orders and judgments outside of their jurisdiction during an emergency or disaster.

Present law authorizes the governor to declare a state of emergency or disaster by executive order or proclamation.

Proposed law provides that a district court or a court of limited jurisdiction may sign orders and judgments while outside of its territorial jurisdiction during an emergency or disaster declared as such by the governor pursuant to present law if the emergency or disaster prevents the court from operating in its own jurisdiction. Proposed law further requires that the court shall indicate the location where the order or judgment was signed.

(Adds C.C.P. Art. 196.1)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Provide that a court may sign orders and judgments outside of its territory during a disaster or emergency only if the emergency has been declared as such by the governor.
2. Require the court to indicate the location where the order or judgment was signed.