

ACT No. 128

2018 Regular Session

HOUSE BILL NO. 288

BY REPRESENTATIVE JACKSON

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 5059, relative to civil procedure; to
3 provide for the computation of a period of time allowed or prescribed to seek
4 rehearing, reconsideration, or judicial review or appeal of a decision or order by an
5 agency in the executive branch of state government; to provide for exceptions; and
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Civil Procedure Article 5059 is hereby amended and reenacted
9 to read as follows:

10 Art. 5059. Computation of time

11 A. In computing a period of time allowed or prescribed by law or by order
12 of court, the date of the act, event, or default after which the period begins to run is
13 not to be included. The last day of the period is to be included, unless it is a legal
14 holiday, in which event the period runs until the end of the next day which is not a
15 legal holiday.

16 B. A half-holiday is considered as a legal holiday. A legal holiday is to be
17 included in the computation of a period of time allowed or prescribed, except when:

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

21 C.(1) A legal holiday shall be excluded in the computation of a period of
22 time allowed or prescribed to seek rehearing, reconsideration, or judicial review or
23 appeal of a decision or order by an agency in the executive branch of state
24 government.

1 (2) Subparagraph (1) of this Paragraph shall not apply to the computation of
2 a period of time allowed or prescribed to seek rehearing, reconsideration, or judicial
3 review or appeal of a decision or order by the Department of Revenue.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____