
DIGEST

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HB 210 Engrossed

2019 Regular Session

Jimmy Harris

Abstract: Provides that the cost for filing the record of the decision or action of the Dept. of Environmental Quality shall be paid by the person petitioning for the review by the court of the decision or action.

Present law affords an aggrieved person the opportunity to appeal a final permit action, a final enforcement action, or a declaratory ruling by the Dept. of Environmental Quality only to the 19th Judicial District Court. Proposed law retains present law.

Present law requires the department to transmit to the reviewing court the original or a certified copy of the entire record of the decision or action under review within 60 days after service of the petition on the department, or within time allowed by the court.

Proposed law retains present law and specifies that any costs assigned by the clerk of court for the filing of the record of the decision or action shall be paid by the person filing the petition for review.

Present law authorizes shortening the record by stipulation of all parties and authorizes the court to tax additional court costs on a party that unreasonably refuses to stipulate to limit the record. Present law authorizes the court to require or permit subsequent corrections or additions to the record. Proposed law retains present law.

(Amends R.S. 30:2050.21(D))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Restore provisions authorizing the court to tax additional court costs on a party that unreasonably refuses to stipulate to limit the record.
2. Provide that costs of filing the record shall be "paid by" rather than "assessed to" the person filing the petition for review.
3. Make technical changes.