

2020 Regular Session

HOUSE BILL NO. 265

BY REPRESENTATIVE MUSCARELLO

CLERKS OF COURT: Provides relative to certain recordkeeping by the clerks of court

1 AN ACT

2 To repeal R.S. 38:1501 and R.S. 51:282, relative to clerks of court; to eliminate
3 requirements for the clerk of court to maintain certain records.

4 Be it enacted by the Legislature of Louisiana.

5 Section 1. R.S. 38:1501 and R.S. 51:282 are hereby repealed in their entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 265 Original

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Muscarello

Abstract: Eliminates the requirement of clerks of court to maintain records of all the proceedings regarding the drainage districts and sub-drainage districts as well as the requirement to maintain an alphabetical index of all persons filing certificates with regard to assumed business names.

Present law requires that the clerks of court in several parishes exercising the powers and duties of recorder of mortgages keep a record of all proceedings affecting any drainage district or sub-drainage district organized under the drainage laws of La.

Present law requires the register of conveyances of Orleans Parish and clerks of court to keep an alphabetical index of all persons filing certificates with regard to assumed business names and charge a filing fee as well as a fee for the issuance of certified copies.

Present law further provides that a copy of a duly certified certificate shall be presumptive evidence of the facts contained on it.

Proposed law repeals present law.

(Repeals R.S. 38:1501 and R.S. 51:282)