

SENATE COMMITTEE AMENDMENTS

2020 Regular Session

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 404 by Representative Farnum

1 AMENDMENT NO. 1

2 On page 1, line 2, after "and R.S." delete the remainder of the line and insert "13:754(B) and
3 (E)(1), (5), (8), and (10), and Code of Civil Procedure Article 253(B) and (E), and to enact
4 R.S."

5 AMENDMENT NO. 2

6 On page 1, line 3, after "13:754(E)(13)" insert "and Code of Civil Procedure Article 253(F)
7 through (H)"

8 AMENDMENT NO. 3

9 On page 1, line 4, after "Authority;" insert "to facilitate electronic transactions or
10 communications; to disseminate information to the public;"

11 AMENDMENT NO. 4

12 On page 2, line 15, after "Section 2. R.S." change "13:754(E)(8) is" to "13:754(B) and
13 (E)(1), (5), (8), and (10) are"

14 AMENDMENT NO. 5

15 On page 2, between lines 19 and 20, insert the following:

16 "B. The LCRAA shall provide for infrastructure, governance, standard
17 operating procedures, technology, and training to support a statewide portal for
18 secure remote access by Internet users to certain records maintained by LCRAA
19 members and shall provide assistance to LCRAA members in procuring,
20 implementing, enhancing, and maintaining equipment, supplies, and services related
21 to technology to facilitate electronic transactions and communications and to
22 disseminate information to the public, to facilitate the operations of any member
23 during any declared emergency, and to provide for document preservation.
24 * * *

25 AMENDMENT NO. 6

26 On page 2, between lines 21 and 22, insert the following:

27 "(1) To design, construct, administer, and maintain a statewide portal for
28 remote access of certain electronic images of certain records maintained by members
29 and technology to facilitate electronic transactions and communications, and to
30 disseminate information to the public.
31 * * *

32 (5) To provide such services and make such expenditures as LCRAA deems
33 proper for the ~~establishment and maintenance of a statewide portal~~ achievement of
34 the purposes of this Section."

35 AMENDMENT NO. 7

36 On page 3, between lines 3 and 4, insert the following:

37 "(10) To establish and administer a grant program for assisting members with
38 acquiring hardware and software and related equipment, supplies, and services for

1 the conversion of records to increase the records made available through the
2 statewide portal, to facilitate electronic transactions or communications, to
3 disseminate information to the public, or to facilitate the operations of any member
4 during any declared emergency.

5 * * *

6 AMENDMENT NO. 8

7 On page 3, after line 8, insert the following:

8 "Section 3. Code of Civil Procedure Article 253(B) and (E) are hereby amended and
9 reenacted and Code of Civil Procedure Article 253(F) through (H) are hereby enacted to read
10 as follows:

11 Art. 253. Pleadings, documents, and exhibits to be filed with clerk

12 * * *

13 B. The filings as provided in Paragraph A of this Article and all other
14 provisions of this Chapter, may be transmitted electronically in accordance with a
15 system established by a clerk of court or by Louisiana Clerks of Court Remote
16 Access Authority. When a clerk of court establishes such a system is established, he
17 the clerk of court shall adopt and implement procedures for the electronic filing and
18 storage of any pleading, document, or exhibit. The official record shall be the
19 electronic record. A pleading or document filed electronically is deemed filed on the
20 date and time stated on the confirmation of electronic filing sent from the system, if
21 the clerk of court accepts the electronic filing. Public access to electronically filed
22 pleadings and documents shall be in accordance with the rules governing access to
23 written filings.

24 * * *

25 E. The clerk shall not refuse to accept for filing any pleading or other
26 document signed by electronic signature, as defined by R.S. 9:2602, and executed
27 in connection with court proceedings, or which complies with the procedures for
28 electronic filing implemented pursuant to this Article, if any applicable fees for filing
29 and transmission are paid, solely on the ground that it was signed by electronic
30 signature.

31 F. If the filing party fails to comply with any requirement of this Article, the
32 electronic filing shall have no force or effect. The district courts may provide by
33 court rule for other matters related to filings by electronic transmission.

34 G. The clerk of court may procure equipment, services, and supplies
35 necessary to accommodate electronic filings out of the clerk's salary fund.

36 H. All electronic filings shall include an electronic signature. For the purpose
37 of this Article, "electronic signature" means an electronic symbol or process attached
38 to or logically associated with a record and executed or adopted by a person with the
39 intent to sign the record."