

**HOUSE COMMITTEE AMENDMENTS**

2020 Second Extraordinary Session

Amendments proposed by House Committee on Judiciary to Original House Bill No. 46 by Representative James

1 AMENDMENT NO. 1

2 On page 1, at the end of line 2, delete "917.2,"

3 AMENDMENT NO. 2

4 On page 1, delete line 3 in its entirety and insert the following:

5 "1221.1, 1904.1, 2166.1, 2562.28, and 2563.18,"

6 AMENDMENT NO. 3

7 On page 1, at the beginning of line 4, delete "2563.19,"

8 AMENDMENT NO. 4

9 Delete pages 2 through 9 in their entirety and insert the following:

10 "B. Justice of the peace courts are subject to the provisions of R.S. 13:917.1.

11 Section 2. R.S. 13:917.1, 1221.1, 1904.1, 2166.1, 2562.28, and 2563.18 are  
12 hereby enacted to read as follows:

13 917.1 Sealing of eviction records in a declared state of emergency

14 A. In light of the COVID-19 pandemic and declared states of emergency by  
15 Governor John Bel Edwards' proclamations, the clerk of court shall seal records of  
16 any eviction proceedings for nonpayment of rent at the time of filing between March  
17 16, 2020, and August 1, 2021.

18 B. Any filing, pleading, or judgment of eviction rendered for nonpayment of  
19 rent between March 16, 2020, and August 1, 2021, shall be immediately sealed and  
20 remain sealed.

21 C. Nothing in this Article shall prevent access to the records of an eviction  
22 proceeding by the lessor or owner, the lessee or occupant, the attorney or designated  
23 representative of the lessor, owner, lessee, or occupant, or a representative of Loyola  
24 University New Orleans College of Law, Law Clinic for data aggregation and  
25 research purposes.

26 D. No cause of action shall exist against any clerk or judge or their employee  
27 for the sealing of such records in accordance with the provisions of this Section.

28 \* \* \*

29  
30 1221.1 Sealing of eviction records in a declared state of emergency

31 A. In light of the COVID-19 pandemic and declared states of emergency by  
32 Governor John Bel Edwards' proclamations, the clerk of court shall seal records of  
33 any eviction proceedings for nonpayment of rent at the time of filing between March  
34 16, 2020, and August 1, 2021.

35 B. Any filing, pleading, or judgment of eviction rendered for nonpayment of  
36 rent between March 16, 2020, and August 1, 2021, shall be immediately sealed and  
37 remain sealed.

38 C. Nothing in this Article shall prevent access to the records of an eviction  
39 proceeding by the lessor or owner, the lessee or occupant, the attorney or designated  
40 representative of the lessor, owner, lessee, or occupant, or a representative of Loyola

1 University New Orleans College of Law, Law Clinic for data aggregation and  
2 research purposes.

3 D. No cause of action shall exist against any clerk or judge or their employee  
4 for the sealing of such records in accordance with the provisions of this Section.

5  
6 \* \* \*

7 1904.1 Sealing of eviction records in a declared state of emergency

8 A. In light of the COVID-19 pandemic and declared states of emergency by  
9 Governor John Bel Edwards' proclamations, the clerk of court shall seal records of  
10 any eviction proceedings for nonpayment of rent at the time of filing between March  
11 16, 2020, and August 1, 2021.

12 B. Any filing, pleading, or judgment of eviction rendered for nonpayment of  
13 rent between March 16, 2020, and August 1, 2021, shall be immediately sealed and  
14 remain sealed.

15 C. Nothing in this Article shall prevent access to the records of an eviction  
16 proceeding by the lessor or owner, the lessee or occupant, the attorney or designated  
17 representative of the lessor, owner, lessee, or occupant, or a representative of Loyola  
18 University New Orleans College of Law, Law Clinic for data aggregation and  
19 research purposes.

20 D. No cause of action shall exist against any clerk or judge or their employee  
21 for the sealing of such records in accordance with the provisions of this Section.

22 \* \* \*

23 2166.1 Sealing of eviction records in a declared state of emergency

24 A. In light of the COVID-19 pandemic and declared states of emergency by  
25 Governor John Bel Edwards' proclamations, the clerk of court shall seal records of  
26 any eviction proceedings for nonpayment of rent at the time of filing between March  
27 16, 2020, and August 1, 2021.

28 B. Any filing, pleading, or judgment of eviction rendered for nonpayment of  
29 rent between March 16, 2020, and August 1, 2021, shall be immediately sealed and  
30 remain sealed.

31 C. Nothing in this Article shall prevent access to the records of an eviction  
32 proceeding by the lessor or owner, the lessee or occupant, the attorney or designated  
33 representative of the lessor, owner, lessee, or occupant, or a representative of Loyola  
34 University New Orleans College of Law, Law Clinic for data aggregation and  
35 research purposes.

36 D. No cause of action shall exist against any clerk or judge or their employee  
37 for the sealing of such records in accordance with the provisions of this Section.

38 \* \* \*

39  
40 2562.28 Sealing of eviction records in a declared state of emergency

41 A. In light of the COVID-19 pandemic and declared states of emergency by  
42 Governor John Bel Edwards' proclamations, the clerk of court shall seal records of  
43 any eviction proceedings for nonpayment of rent at the time of filing between March  
44 16, 2020, and August 1, 2021.

45 B. Any filing, pleading, or judgment of eviction rendered for nonpayment of  
46 rent between March 16, 2020, and August 1, 2021, shall be immediately sealed and  
47 remain sealed.

48 C. Nothing in this Article shall prevent access to the records of an eviction  
49 proceeding by the lessor or owner, the lessee or occupant, the attorney or designated  
50 representative of the lessor, owner, lessee, or occupant, or a representative of Loyola  
51 University New Orleans College of Law, Law Clinic for data aggregation and  
52 research purposes.

53 D. No cause of action shall exist against any clerk or judge or their employee  
54 for the sealing of such records in accordance with the provisions of this Section.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

\* \* \*

2563.18 Sealing of eviction records in a declared state of emergency

A. In light of the COVID-19 pandemic and declared states of emergency by Governor John Bel Edwards' proclamations, the clerk of court shall seal records of any eviction proceedings for nonpayment of rent at the time of filing between March 16, 2020, and August 1, 2021.

B. Any filing, pleading, or judgment of eviction rendered for nonpayment of rent between March 16, 2020, and August 1, 2021 shall be immediately sealed and remain sealed.

C. Nothing in this Article shall prevent access to the records of an eviction proceeding by the lessor or owner, the lessee or occupant, the attorney or designated representative of the lessor, owner, lessee, or occupant, or a representative of Loyola University New Orleans College of Law, Law Clinic for data aggregation and research purposes.

D. No cause of action shall exist against any clerk or judge or their employee for the sealing of such records in accordance with the provisions of this Section.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.