
DIGEST

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HB 164 Original

2022 Regular Session

Pressly

Abstract: Provides for electronic filing acceptance at the time filing was received.

Present law (C.C.P. Art. 253) provides that a pleading or document filed electronically is deemed filed on the date and time stated on the confirmation of electronic filing sent from the system, if the clerk of court accepts the electronic filing.

Present law (C.C.P. Art. 258) provides that for electronic filings received on a legal holiday or at any time other than during normal business hours of the recorder, the filings shall be accepted on the next business day by the same procedure followed when a paper document is received in the mail at any time other than during normal business hours.

Present law (R.S. 13:850) provides that any document in a civil action may be filed with the clerk of court by facsimile transmission and that filing is deemed complete at the time the facsimile transmission is received by the clerk of court.

Proposed law changes present law to provide that the equipment used to accept facsimile filings cannot be intentionally turned off or disconnected, and that filing shall be deemed complete in accordance with the procedures set forth in C.C.P. Art. 258.

(Amends R.S. 13:850(A))