

**LEGISLATIVE FISCAL OFFICE  
Fiscal Note**



Fiscal Note On: **HB 544** HLS 23RS 745  
 Bill Text Version: **REENGROSSED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> May 26, 2023	4:41 PM	<b>Author:</b> JORDAN
<b>Dept./Agy.:</b> Judiciary		<b>Analyst:</b> Daniel Druilhet
<b>Subject:</b> Legislative Continuances		

CIVIL/PROCEDURE RE DECREASE LF RV See Note Page 1 of 1  
 Provides relative to legislative continuances

Current law provides that peremptory grounds for continuance and extension is available to and for the benefit of a member or legislative employee and may only be asserted or waived by the member or employee. Proposed law amends current law to add procedural rules regarding waiver of privilege for peremptory grounds for continuance; mandates that a court take judicial notice any time the legislature or any legislative committee, task force, special or select committee, commission, or subcommittee convenes, and the member or employee is required to attend; provides rules regarding awarding of attorneys fees and court costs for erroneous filing of motions in opposition to an ex parte motion for legislative continuance or extension (EPMLC); provides rules regarding deadlines for filing EPMLC; provides that any action taken against a person who files an EPMLC which results in a misapplication of provisions related to sanctions imposed on the attorney who has filed an EPMLC (and those sanctions resulted from the failure of such attorney or person to appear or comply with an order of the court or agency) shall be an absolute nullity and set aside by a court or agency upon motion of the aggrieved person or attorney (or via supervisory writ to appeals courts or the supreme court if the motion to set aside the order of sanctions is denied) at no cost to the member, employee or client of the member or employee.

<b>EXPENDITURES</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>2027-28</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

  

<b>REVENUES</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>2027-28</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on local governmental expenditures as a result of this measure.

**REVENUE EXPLANATION**

Proposed law will likely result in a marginal, but indeterminable decrease in local revenues to city, parish, district, and appellate courts, and the Louisiana Supreme Court to the extent that an action is taken against a person who files an ex parte motion for legislative continuance or extension (EPMLC) which results in a misapplication of provisions related to sanctions imposed on the attorney who has filed an EPMLC, and the action is set aside by a motion to set aside the order of sanctions (or via supervisory writ to an appeals court or the supreme court if the motion to set aside the order of sanctions is denied).

The costs for filing a motion in city, parish, and district courts vary from one venue to another. According to the Clerks of Court for the five circuit courts of appeal, costs to file an application for a supervisory writ for civil matters ranges between \$178 and \$188 (with additional convenience fees assessed for e-filing services), while only the First Circuit Court of Appeal assesses fees for an application for supervisory writ for criminal matters. The Clerk of Court for the Louisiana Supreme Court reports the cost for filing an application for supervisory writ (civil) as \$328, with no cost assessed for criminal matters. Because proposed law adds a fee exemption for an application for supervisory writ for specific circumstances which are not addressed by current law, there would be no loss of revenue to the Louisiana Supreme Court.

The fiscal impact to local revenue with enactment of proposed law is indeterminable, because it is unknown how many times a motion to set aside an order of sanctions imposed on an attorney who has filed an EPMLC (or an application for supervisory writ if the motion to set aside is denied) will be filed.

Senate      Dual Referral Rules  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*  


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**Evan Brasseaux**  
 Interim Deputy Fiscal Officer