

Regular Session, 2014

SENATE BILL NO. 350

BY SENATOR MORRELL

COURTS. Exempts state and its political subdivisions from paying recordation fees in Orleans Parish courts. (gov sig)

1 AN ACT
2 To amend and reenact R.S. 13:4521(A)(1), relative to courts and judicial procedure; to
3 provide relative to certain court costs and recordation costs; to provide relative to the
4 payment of costs in Orleans Parish courts; and to provide for related matters.
5 Be it enacted by the Legislature of Louisiana:
6 Section 1. R.S. 13:4521(A)(1) is hereby amended and reenacted to read as follows:
7 §4521. State and its subdivisions, boards, and commissions not required to pay court
8 costs; exceptions
9 A.(1) Except as provided in R.S. 13:5112, R.S. 19:15 and 116, and R.S.
10 48:451.3, and as hereinafter provided, neither the state, nor any parish, municipality,
11 nor other political subdivision, public board, or commission, nor any officer or
12 employee of any such governmental entity when acting within the scope and
13 authority of such employment or when discharging his official duties shall be
14 required to pay court costs in any judicial proceeding instituted or prosecuted by or
15 against the state, or any such parish, municipality, or other political subdivision,
16 board, or commission, in any court of this state or any municipality of this state,
17 including particularly but not exclusively those courts in the parish of Orleans and

1 the city of New Orleans. **In those courts in the parish of Orleans and the city of**
 2 **New Orleans, the state and its political subdivisions and officers shall in**
 3 **addition be exempt from the payment of recordation costs.** This Section shall
 4 also apply to the Louisiana Insurance Guaranty Association and the Louisiana Life
 5 and Health Insurance Guaranty Association in any judicial proceeding instituted by
 6 or against them. This Section shall also apply to the policyholder or other insured of
 7 an insolvent insurer in any judicial proceeding instituted by or against the Louisiana
 8 Insurance Guaranty Association and the Louisiana Life and Health Insurance
 9 Guaranty Association. This Section shall also apply to employees or agents of the
 10 state if they are named as defendants in a suit arising out of the course and scope of
 11 their employment or agency. Costs which are temporarily deferred pursuant to this
 12 Section cannot be shifted to opposing parties during the pendency of such deferment.

13 * * *

14 Section 2. This Act shall become effective upon signature by the governor or, if not
 15 signed by the governor, upon expiration of the time for bills to become law without signature
 16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 17 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 18 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Angela L. De Jean.

DIGEST

Morrell (SB 350)

Present law provides that except as provided in present law, neither the state, nor any parish, municipality, nor other political subdivision, public board, or commission, nor any officer or employee of any such governmental entity when acting within the scope and authority of such employment or when discharging his official duties shall be required to pay court costs in any judicial proceeding instituted or prosecuted by or against the state, or any such parish, municipality, or other political subdivision, board, or commission, in any court of this state or any municipality of this state, including particularly but not exclusively those courts in the parish of Orleans and the city of New Orleans.

Present law provides that present law shall also apply to employees or agents of the state if they are named as defendants in a suit arising out of the course and scope of their employment or agency. Costs which are temporarily deferred pursuant to present law cannot be shifted to opposing parties during the pendency of such deferment.

Proposed law retains present law and also exempts the state, its subdivisions, public boards

or commissions from paying recordation costs in courts in the parish of Orleans and the city of New Orleans.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 13:4521(A)(1))