

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 373** SLS 14RS 772

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 21, 2014	1:53 PM	<b>Author:</b> JOHNS
<b>Dept./Agy.:</b> Judiciary		<b>Analyst:</b> Matthew LaBruyere
<b>Subject:</b> Summary Judgements		

CIVIL PROCEDURE

EG SEE FISC NOTE LF RV

Page 1 of 1

Provides relative to motions for summary judgments. (8/1/14)

Proposed law adds that all parties shall be allowed adequate discovery to be conducted within a reasonable period of time in advance of the hearing on the motion for summary judgment. Proposed law provides that the movant shall file with his motion a memorandum and list of the exhibits he intends to offer into evidence at least 20 days prior to the hearing. Further provides that the adverse party shall file and serve his opposing memorandum and list of exhibits at least 10 days prior to the hearing. Proposed law provides that movant may file a reply memorandum provided it is filed and served at least 5 days prior to the hearing. Proposed law provides that all service requirements shall be made in accordance with present law. Proposed law provides that any objections to any exhibits shall be made by a motion to strike filed not later than 3 days prior to the hearing and shall be heard and decided by the court prior to the hearing. Proposed law adds that if a party requests written reasons for judgment within 10 days of rendition of the judgment, the court shall provide written reasons for judgment within 10 days of receipt of the request provided the court can do so at least 10 days prior to trial.

<b>EXPENDITURES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</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	\$0	\$0	\$0	\$0	\$0	<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>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
<b>Annual Total</b>						

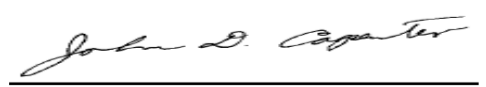
**EXPENDITURE EXPLANATION**

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

**REVENUE EXPLANATION**

The proposed legislation may result in an indeterminable increase in local fund revenue. The clerks of court charge a per page filing fee for exhibits. Since the movant shall file all exhibits for a motion for summary judgment, the clerks of court may see an increase in filing fees received if additional exhibits are filed.

- |                                                                             |                            |              |                                                                                            |
|-----------------------------------------------------------------------------|----------------------------|--------------|--------------------------------------------------------------------------------------------|
| <u>Senate</u>                                                               | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}                    |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}       |                            |              | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S}                  |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} |                            |              | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

  
**John D. Carpenter**  
**Legislative Fiscal Officer**