

Regular Session, 2014

SENATE BILL NO. 544

BY SENATOR HEITMEIER

COURTS. Provides relative to the Second City Court of the city of New Orleans. (8/1/14)

1 AN ACT

2 To amend and reenact R.S. 13:1952(15)(a) and 2151.4(D) and (E) and the introductory
3 paragraph of R.S. 40.39.1(A) and 39.1(A)(1), (B)(1), (C), and (D), and to enact R.S.
4 13:2151.4(F), and to repeal R.S. 13:1875(10)(c), relative to city courts; to provide
5 for the jurisdiction of the office of clerk; to authorize the clerk to issue certain vital
6 records; to provide relative to certain city court judges; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 13:1952(15)(a) and 2151.4(D) and (E) are hereby amended and
10 reenacted and R.S. 13:2151.4(F) is hereby enacted to read as follows:

11 §1952. Courts created by special legislative Act

12 The following city courts, heretofore created and established by special
13 legislative Act, are hereby recognized and continued in existence and, except as
14 otherwise provided in this Section, their territorial jurisdiction shall extend through
15 the city and ward or wards wherein the city in which they are domiciled is located,
16 as extended from time to time:

17 * * *

1 (15)(a) The City Court of Monroe, domiciled in the city of Monroe, parish
2 of Ouachita, having three city judges and a city marshal. ~~Such city court judges may~~
3 ~~not practice law.~~ The court shall be divided into three divisions, which shall be
4 designated as divisions "A", "B", and "C".

5 * * *

6 §2151.4. ~~Second city court~~ **City Court**; judge; clerk; constable; jurisdiction

7 * * *

8 D. The civil jurisdiction is concurrent with the district court in cases where
9 the amount in dispute, as defined in Code of Civil Procedure Article 4841(B), or the
10 value of the property involved, does not exceed twenty-**five** thousand dollars.

11 E. The ~~second city court~~ **Second City Court** shall have jurisdiction over
12 appeals by any person aggrieved by a decision of the traffic court concerning a traffic
13 violation enforced by the city of New Orleans' automated traffic enforcement system.
14 Appeals from the traffic court shall be on the law and shall be tried upon the records
15 made and the evidence offered in court by the judge to whom the appeal shall be
16 allotted. Any aggrieved person shall file such appeal within thirty days of such
17 decision. The ~~second city court~~ **Second City Court** shall adopt rules regulating the
18 manner of taking, hearing, and deciding such appeals.

19 **F. The office of the clerk of the Second City Court may issue certain vital**
20 **records as provided for in R.S. 40:39.1.**

21 Section 2. The introductory paragraph of R.S. 40.39.1(A) and 39.1(A)(1), (B)(1),
22 (C), and (D) are hereby amended and reenacted to read as follows:

23 §39.1. Certified copies of birth certificates and death certificates; clerks of district
24 courts **and the Second City Court of the city of New Orleans**; Vital
25 Records Conversion Fund

26 A. The state registrar of vital records shall promulgate rules to implement the
27 issuance of certified copies of birth certificates and death certificates through the
28 office of the clerk of district court in each parish **and the office of clerk of the**
29 **Second City Court of the city of New Orleans**. Such rules shall apply only to

1 issuance of those birth and death records that are available for electronic issuance
 2 from the Vital Records Registry birth and death databases and shall include access
 3 to the following items:

4 (1) Automated access, retrieval, and production of short-form birth
 5 certificates, long-form birth certificates, and death certificates by the clerks of district
 6 courts **and the clerk of the Second City Court of the city of New Orleans** using
 7 the data network available to the secretary of state.

8 * * *

9 B.(1) The clerk of district court in each parish **and the clerk of the Second**
 10 **City Court of the city of New Orleans** may issue certified copies of short-form
 11 birth certificate cards and long-form birth certificates and death certificates in
 12 accordance with rules promulgated pursuant to Subsection A of this Section. In
 13 addition to fees collected for issuance of a birth record or death certificate as
 14 provided in R.S. 40:40, the clerk of court shall collect a fee of five dollars for a short-
 15 form birth certificate and nine dollars for a long-form birth certificate or a death
 16 certificate.

17 * * *

18 C. The clerks of district courts, **the clerk of the Second City Court of the**
 19 **city of New Orleans,** and the secretary of state shall be subject to provisions of this
 20 Chapter governing confidentiality of vital records information in the same manner
 21 provided for the state registrar and provisions governing to whom a certified copy
 22 of a birth certificate or death certificate may be issued. Any birth certificate or death
 23 certificate issued by the clerk of a district court **and the clerk of the Second City**
 24 **Court of the city of New Orleans** shall be accepted as an original record.

25 D. The state registrar shall promulgate the rules necessary for the
 26 implementation of the provisions of this Section on or before January 1, ~~2000~~ **2015**.
 27 Section 3. R.S. 13:1875(10)(c) is hereby repealed in its entirety.

The original instrument was prepared by Jerry G. Jones. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

DIGEST

Heitmeier (SB 544)

Proposed law repeals the prohibition against judges of the City Court of Monroe from engaging in the practice of law.

Present law provides that the Second City Court of the city of New Orleans has civil jurisdiction in cases where the amount does not exceed \$20,000.

Proposed law provides such jurisdiction in cases that do not exceed \$25,000.

Present law authorizes district court clerks to issue and collect fees for certain vital records.

Proposed law retains present law and authorizes the clerk for the Second City Court of the city of New Orleans to issue and collect fees for certain vital records.

Proposed law requires the state registrar promulgate rules necessary for the implementation of the provisions of proposed law no later than Jan. 1, 2015.

Effective August 1, 2014.

(Amends R.S. 13:1952(15)(a) and 2151.4(D) and (E) and R.S. 40:39.1(A)(intro para), 39.1(A)(1), (B)(1), (C), and (D); adds R.S. 13:2151.4(F); repeals R.S. 13:1875(10)(c))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Changed \$35,000 to \$25,000.

Senate Floor Amendments to engrossed bill

1. Repeals the prohibition against judges of the City Court of Monroe from engaging in the practice of law.