

CONFERENCE COMMITTEE REPORT

Senate Bill No. 143 by Senator Amedee

June 23, 2009

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 143 by Senator Amedee recommend the following concerning the Reengrossed bill:

- 1. That all House Committee Amendments proposed by House Committee on Administration of Criminal Justice and adopted by the House of Representative on June 4, 2009 be adopted.

Respectfully submitted,

Senators:

Representatives:

Senator "Jody" Amedee

Representative Eddie J. Lambert

Senator Joel T. Chaisson II

Representative Mack "Bodi" White

Senator Daniel "Danny" Martiny

Representative Ernest D. Wooton

The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michael Bell.

CONFERENCE COMMITTEE REPORT DIGEST

Senate Bill No. 143 by Senator Amedee

Keyword and summary of the bill as proposed by the Conference Committee

LAW ENFORCEMENT. Provides for the employment of electronic applications for warrants and electronic signatures. (8/15/09)

Report adopts House amendments to:

1. Remove provisions relative to the authorization and utilization of electronic applications for testimony transcripts and electronic signatures.
2. Remove provisions relative to certification of testimony transcripts with electronic signatures.

Digest of the bill as proposed by the Conference Committee

Proposed law provides that an application for any warrant or signature utilized by the judicial branch not be denied legal effect or enforceability solely because it is in electronic form and that it have the full effect of law. Requires that an electronic record satisfy a legal requirement that an application for any warrant be in writing and that if the law requires a signature, then an electronic signature will satisfy such requirement.

Requires that any application used to attach a digital signature to any warrant or affidavit have security procedures in place to insure the authenticity of the digital signature. Requires that the application be able to keep an electronic record of the warrant or affidavit, including the time and date when the signature was attached. Also requires that the application include encryption measures to ensure secure access of the application.

Provides that, unless otherwise agreed to by a sender of a warrant application and the judiciary, an electronic signature is received when (1) the record enters an information-processing system designated and approved by local court rule for the purpose of receiving electronic applications for warrants and from which the recipient is able to retrieve the electronic record and (2) it is in a form capable of being processed by the system.

Effective August 15, 2009

(Adds R.S. 9:2603.1)