

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)

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AN ACT

To amend and reenact R.S. 13:2151.4(D) and (E) and R.S. 40.39.1(A)(1), (B)(1), (C), and (D), and to enact R.S. 13:2151.4(F), relative to the Second City Court of the city of New Orleans; to provide for the jurisdiction of the office of clerk; to authorize the clerk to issue certain vital records; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

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

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

\* \* \*

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

E. The ~~second city court~~ **Second City Court** shall have jurisdiction over appeals by any person aggrieved by a decision of the traffic court concerning a traffic violation enforced by the city of New Orleans' automated traffic enforcement system. Appeals from the traffic court shall be on the law and shall be tried upon the records

1 made and the evidence offered in court by the judge to whom the appeal shall be  
2 allotted. Any aggrieved person shall file such appeal within thirty days of such  
3 decision. The ~~second city court~~ **Second City Court** shall adopt rules regulating the  
4 manner of taking, hearing, and deciding such appeals.

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

7 Section 2. R.S. 40:39.1(A)(1), (B)(1), (C), and (D) are hereby amended and  
8 reenacted to read as follows:

9 §39.1. Certified copies of birth certificates and death certificates; clerks of district  
10 courts **and the Second City Court of the city of New Orleans**; Vital  
11 Records Conversion Fund

12 A. The state registrar of vital records shall promulgate rules to implement the  
13 issuance of certified copies of birth certificates and death certificates through the  
14 office of the clerk of district court in each parish **and the office of clerk of the**  
15 **Second City Court of the city of New Orleans**. Such rules shall apply only to  
16 issuance of those birth and death records that are available for electronic issuance  
17 from the Vital Records Registry birth and death databases and shall include access  
18 to the following items:

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

23 \* \* \*

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

1 form birth certificate and nine dollars for a long-form birth certificate or a death  
2 certificate.

3 \* \* \*

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

11 D. The state registrar shall promulgate the rules necessary for the  
12 implementation of the provisions of this Section on or before January 1, ~~2000~~ **2015**.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Cathy Wells.

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#### DIGEST

Heitmeier (SB 544)

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 increases the jurisdiction to cases that do not exceed \$35,000.

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. 13:2151.4(D) and (E) and R.S. 40:39.1(A)(1), (B)(1), (C), and (D); adds R.S. 13:2151.4(F))