

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 357

2026 Regular Session

Reese

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

COURTS: Provides relative to the courts and the judiciary. (8/1/26) (RE1 SEE FISC NOTE GF EX)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Provides for the use of working groups to develop a comprehensive and uniform plan for filing, case management, and related technology for appellate courts.
2. Permits the reimbursement of vouchered expenses actually incurred that would otherwise be reimbursable.
3. Provides for rules to be adopted for reimbursements, allowances, payment of expenses concerning mileage, and other travel related to performing official duties in the justices' districts when respective primary residences are more than a 50-mile roundtrip from the courthouse.
4. Provides for security at the courts of appeal by the sheriff of the respective parishes of the courts.
5. Repeals present law that provides that the superintendent of police of New Orleans executes the orders of the court when the court is in open court.
6. Provides that justices are not prohibited from having a district office located within a parish from where they were elected regardless that his primary work location is in the district.
7. Provides that for clerks, sheriff, and superintendent of police any amount paid as per diem for attending to official duties in the parish of the courthouse shall not exceed the maximum daily expenses rate allowed for employees of the United States for travel.
8. Provides that a justice may refer the motion to recuse himself to be heard by the other justices of the court.
9. Provides that a majority of the justice is required for a recusal originating from a referral.
10. Provides that the court may appoint a retired justice of the supreme court in the event of a recusal of a justice.
11. Effective upon signature of the governor, except proposed law providing for supplemental pay shall become effective on July 1, 2026.
12. Makes technical changes.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

SB 357 Reengrossed

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Present law (R.S. 13:72.1) provides that the La. Supreme Court (supreme court) may, by rule of court, when it appears to the U.S. Supreme Court or to any U.S. court of appeals that questions or propositions of the laws of this state are involved in any proceeding before it, are determinative of the cause, and lack clear controlling precedent in the decisions of the supreme court of this state, authorize the respective federal appellate court to certify those questions or propositions of state law to the supreme court of this state for instructions, and the supreme court of this state may answer by written opinion.

Proposed law retains present law and authorizes courts of last resort to provide written opinions.

Present law provides that the supreme court is authorized and empowered to collaborate with courts of last resort of other states and of the U.S. in the preparation and approval of uniform rules of court to effectuate laws.

Proposed law retains present law and provides that the supreme court is authorized and empowered to adopt rules it deems appropriate. Further provides that proposed law applies only to the extent of rules duly adopted by the supreme court.

Present law (R.S. 13:74) provides for a crier for the supreme court, appointed by the judges of the supreme court, and commissioned by the civil sheriff for the parish of Orleans as a deputy sheriff. Further provides for yearly compensation payable monthly from the state treasury on a warrant in the amount of \$3,100.00, approved by the chief justice.

Proposed law deletes present law regarding the crier's compensation.

Proposed law further authorizes the supreme court to appoint one or more criers from among the court's security personnel and requires each crier to be commissioned by the civil sheriff for the parish of Orleans as a deputy sheriff.

Proposed law provides that security personnel commissioned pursuant to proposed law are considered members of a bona fide police agency and may additionally be designated by the court as requiring statewide police power pursuant to present law (R.S. 40:1379.1). Further provides that, upon request, the deputy secretary of public safety services or the deputy secretary's designee may facilitate additional security assistance for the court.

Proposed law provides for security at the courts of appeal by the sheriff of the respective parishes of the courts.

Present law authorizes the supreme court to develop a comprehensive and uniform plan for the use of facsimile technology in the courts of the state. Further authorizes the court to appoint advisory committees to assist in preparation of the plan.

Proposed law retains present law but deletes references to facsimile. Authorizes the supreme court to develop a plan for filing, case management, and related technology and to appoint working groups to assist in preparation of the plan.

Proposed law provides that any justice whose primary residence is more than 50 miles from the courthouse may elect to receive all or part of any amount due under present law (R.S. 13:103) as reimbursement for vouchered expenses pursuant to an accountable plan maintained in accordance with federal present law. Further provides that the election applies for an entire year and that the total amount claimed cannot exceed the amounts otherwise authorized for vouchered expenses actually incurred together with any remaining payable amount under present law.

Proposed law further provides for rules adopted by the court concerning reimbursements, allowances, payment of expenses related to mileage, and other travel related to performing official duties in a justice's district when the justice's primary residence is more than a 50-mile roundtrip from the courthouse

Proposed law provides that reimbursement for other official expenses paid from available funds is subject to the court's duly adopted rules.

Proposed law provides that any amounts reimbursed under proposed law are not considered employee compensation for purposes of any public retirement system.

Present law (R.S. 40:2405(B)) provides that certified security personnel of the supreme court or any court of appeal of the state are not eligible to receive supplemental pay benefits even if the peace officer has successfully completed a council-approved training program. Further provides that commissions issued to court security personnel remain in effect at the pleasure of the employing court.

Proposed law retains present law and provides an exception for security personnel who are already duly commissioned deputy sheriffs.

Present law (R.S. 13:75) provides for retirement pay for a supreme court crier after a specified period of continuous service upon reaching 80 years of age. Further provides for payment procedures, legislative appropriation of the retirement pay, notice requirements upon retirement, and procedures for filling the vacancy created by the retirement.

Proposed law repeals present law.

Present law (R.S. 13:353(C)) provides for the superintendent of police of New Orleans to execute the orders of the court when the court is in open court.

Proposed law repeals present law.

Present law provides that a party desiring to recuse a justice of the supreme court shall file a written motion therefor assigning the ground for recusal under present law (CCP Art. 151). When a written motion is filed to recuse a justice of the supreme court, the justice may recuse himself or the motion shall be heard by the other justices of the court.

Proposed law retains present law and provides that a justice may recuse himself to refer the motion to be heard by the other justices of the court. Proposed law further provides that a majority of the justice is required for a recusal originating from a referral.

Present law provides that when a justice of the supreme court is recused the court may appoint a sitting or retired judge of a district court or a court of appeals having the qualifications of a justice, other than age. Proposed law retains present law and provides that the court may appoint a retired justice of the supreme court.

Proposed law provide for the use of working groups to develop a comprehensive and uniform plan for filing, case management, and related technology for appellate courts.

Proposed law provides that for clerks, sheriff, and superintendent of police any amount paid as per diem for attending to official duties in the parish of the courthouse shall not exceed the maximum daily expenses rate allowed for employees of the United States for travel.

Effective upon signature of the governor, except proposed law providing for supplemental pay shall become effective on July 1, 2026.

(Amends R.S. 13:72.1, 74, 76, and 353(B) and R.S. 40:2405(B); Adds R.S. 13:103.1; Repeals R.S. 13:75 and 353(C))