
The original instrument was prepared by Tracy Sabina Sudduth. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

DIGEST

Chaisson (SB 66)

Proposed law defines "affected court," "emergency sessions," and "host jurisdiction." (C.Cr.P. Art. 942)

Proposed law provides for the preemption of conflicting provisions of present law without the repeal of those provisions.

Proposed law provides for criteria for emergency sessions of court. (C.Cr.P. Art. 944)

Proposed law provides for venue for criminal proceedings. (C.Cr.P. Art. 945)

Proposed law provides that venue for a writ of habeas corpus for an individual whose physical custody has been transferred as a result of the circumstances which are the basis for the emergency session shall be in the parish of East Baton Rouge. (C.Cr.P. Art. 945)

Proposed law provides for the jurisdiction and powers of the affected court conducting emergency sessions. (C.Cr.P. Arts. 946 and 947)

Proposed law provides for the length of emergency sessions of court. (C.Cr.P. Art. 948)

Proposed law provides that all court costs, fees, and fines assessed or taxed and collected previously by the affected court prior to the supreme court order authorizing the conducting of emergency sessions shall be assessed, taxed, collected, distributed, and retained in the same amounts by and to the same entities and in the same manner by the affected court conducting the emergency session in the host jurisdiction. (C.Cr.P. Art. 949)

Proposed law provides for the authority of the district, sheriff, clerk of court, and indigent defender board in the affected court conducting emergency sessions. (C.Cr.P. Arts. 950, 951, 952, and 953)

Proposed law provides that in any criminal trial conducted in the emergency sessions of court with the consent of the state and the defendant, the court may summon jurors from the host jurisdiction.

Proposed law provides that the summoning of jurors shall be conducted by the clerk of the host jurisdiction. The cost of summoning jurors and all costs regarding jurors shall be paid by the affected court. (C.Cr.P. Art. 954)

Proposed law provides that the time periods, limitations, and delays established by the provisions of present law affecting the administration of criminal justice shall be suspended in the jurisdiction of the affected court for a period of 90 days following the issuance of an order authorizing emergency sessions of court and that this time period may be extended or rescinded by order of the supreme court. (C.Cr.P. Art. 955)

Proposed law provides for appeals and supervisory writs from decisions of an affected court conducting emergency sessions. (C.Cr.P. Art. 956)

(Adds C.Cr.P. Arts. 941-956)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill.

1. Adds traffic courts to the list of courts that may conduct emergency sessions during an emergency or disaster.
2. Requires that the supreme court also shall give notice at least ten days prior to the conclusion of the emergency session to the clerk of court.

Senate Floor Amendments to engrossed bill.

1. Adds appellate and justice of the peace courts to the list of courts that the supreme court can order to hold emergency sessions at locations outside their territorial jurisdiction.