SLS 14RS-745 ENGROSSED

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. 13:2151.4(D) and (E) and R.S. 40.39.1(A)(1), (B)(1), (C), and
3	(D), and to enact R.S. 13:2151.4(F), relative to the Second City Court of the city of
4	New Orleans; to provide for the jurisdiction of the office of clerk; to authorize the
5	clerk to issue certain vital records; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 13:2151.4(D) and (E) are hereby amended and reenacted and R.S.
8	13:2151.4(F) is hereby enacted to read as follows:
9	§2151.4. Second city court City Court; judge; clerk; constable; jurisdiction
10	* * *
11	D. The civil jurisdiction is concurrent with the district court in cases where
12	the amount in dispute, as defined in Code of Civil Procedure Article 4841(B), or the
13	value of the property involved, does not exceed twenty-five thousand dollars.
14	E. The second city court Second City Court shall have jurisdiction over
15	appeals by any person aggrieved by a decision of the traffic court concerning a traffic
16	violation enforced by the city of New Orleans' automated traffic enforcement system.
17	Appeals from the traffic court shall be on the law and shall be tried upon the records

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 manner of taking, hearing, and deciding such appeals. 4 5 F. The office of the clerk of the Second City Court may issue certain vital records as provided for in R.S. 40:39.1. 6 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 **Records Conversion Fund** 11 A. The state registrar of vital records shall promulgate rules to implement the 12 13 issuance of certified copies of birth certificates and death certificates through the office of the clerk of district court in each parish and the office of clerk of the 14 Second City Court of the city of New Orleans. Such rules shall apply only to 15 issuance of those birth and death records that are available for electronic issuance 16 17 from the Vital Records Registry birth and death databases and shall include access to the following items: 18 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 B.(1) The clerk of district court in each parish and the clerk of the Second 24 City Court of the city of New Orleans may issue certified copies of short-form 25 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

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addition to fees collected for issuance of a birth record or death certificate as

provided in R.S. 40:40, the clerk of court shall collect a fee of five dollars for a short-

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

* * *

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

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

The original instrument was prepared by Cathy R. Wells. The following digest, which does not constitute a part of the legislative instrument, was prepared by Jerry G. Jones.

DIGEST

Heitmeier (SB 544)

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<u>Present law</u> 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.

<u>Proposed law</u> 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.

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

<u>Proposed law</u> requires the state registrar promulgate rules necessary for the implementation of the provisions of <u>proposed law</u> 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))

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.