

2019 Regular Session

HOUSE BILL NO. 50

BY REPRESENTATIVE MUSCARELLO

1 AN ACT

2 To amend and reenact R.S. 13:1904(C), (D), and (E) and to repeal R.S. 13:1904.1, relative  
3 to court records; to provide relative to the destruction of certain useless records in  
4 city court; to authorize all clerks of city courts to destroy certain useless records; to  
5 provide for limitations; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:1904(C), (D), and (E) are hereby amended and reenacted to read  
8 as follows:

9 §1904. City courts; destruction of useless records; certain courts

10 \* \* \*

11 C. Notwithstanding the provisions of Subsection A to the contrary, ~~the clerk~~  
12 ~~of the City Court of Houma, the clerk of the City Court of Ruston, and the clerk of~~  
13 ~~the City Court of Lake Charles~~ the clerk of court of any city court may, upon consent  
14 of the judge or of the majority of judges if there is more than one city judge and with  
15 authorization from the state archivist as provided in R.S. 44:411, destroy records of  
16 judicial proceedings involving suits for eviction of tenants and occupants when such  
17 records have been deemed by the presiding judge or judges to have no further use or  
18 value. However, such proposed destruction shall be authorized only when two years  
19 have elapsed from the last date of action on the record or records when the suit is not  
20 appealed or two years have elapsed after all appeals are exhausted.

21 D. ~~The clerk of the City Court of Hammond, the clerk of the City Court of~~  
22 ~~Houma, the clerk of the City Court of Ruston, and the clerk of the City Court of Lake~~  
23 ~~Charles~~ The clerk of court of any city court may, upon consent of the judge or of the

1 majority of judges if there is more than one city judge and with authorization from  
 2 the state archivist as provided in R.S. 44:411, destroy records of criminal  
 3 proceedings involving misdemeanor convictions when such records have been  
 4 deemed by the presiding judge or judges to have no further use or value. However,  
 5 such proposed destruction shall be authorized only when ten years have elapsed from  
 6 the date of the judgment of conviction when the conviction is not appealed or two  
 7 years have elapsed after all appeals are exhausted. The provisions of this Subsection  
 8 shall not apply to a conviction for operating a vehicle while intoxicated.

9 E. The destruction of criminal records authorized by Subsection D of this  
 10 Section may occur only after the clerk of court's office has scanned the records and  
 11 stored them in an electronic format that is in compliance with all rules adopted by  
 12 the Department of State relative to retention and storage of records or has an  
 13 approved digital imaging exception pursuant to R.S. 44:39.

14 Section 2. R.S. 13:1904.1 is hereby repealed in its entirety.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_