

Regular Session, 2012

HOUSE BILL NO. 1150

BY REPRESENTATIVE HUNTER

CIVIL/PLEADINGS: Provides with respect to facsimile filings

1 AN ACT

2 To enact R.S. 13:850(E), relative to facsimile filings in civil actions; to provide for
3 exceptions to filing an original document in certain circumstances; and to provide
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:850(E) is hereby enacted to read as follows:

7 §850. Facsimile transmission; filings in civil actions; fees; equipment and supplies

8 * * *

9 E. A party or his counsel of record who files any paper with the court by
10 facsimile transmission and who appears in court or who has sufficient funds
11 deposited in the account with the clerk of court to pay the filing fees shall not be
12 required to file the original signed document as provided by Subsection (B)(1) of this
13 Section.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Hunter

HB No. 1150

Abstract: Provides that a party or his counsel of record who files any paper with the court by facsimile transmission shall not be required to file the original signed document if he appears in court or if he has sufficient funds deposited with the clerk of court to pay the filing fees.

Present law provides that any paper in a civil action may be filed with the court by facsimile transmission, and that such filing shall be deemed complete at the time that the facsimile transmission is received and a receipt of transmission has been transmitted to the sender by the clerk of court.

Present law requires the party filing the document to forward, within five days, the following to the clerk: (1) the original signed document; (2) the applicable filing fee, if any; and (3) a transmission fee of \$5.

Present law provides that if the party fails to comply with the requirements of present law, the facsimile filing shall have no force or effect.

Proposed law provides that a party or his counsel of record who files any paper with the court by facsimile transmission shall not be required to file the original signed document if he appears in court or if he has sufficient funds deposited in the account with the clerk of court to pay the filing fees.

(Adds R.S. 13:850(E))