Regular Session, 2014

ACT No. 41

HOUSE BILL NO. 218

BY REPRESENTATIVE TALBOT

1	AN ACT
2	To amend and reenact Code of Civil Procedure Article 1878, relative to special civil
3	proceedings; to provide for declaratory judgments; to provide for expedited hearings;
4	to provide for the effect of supplemental proceedings on the hearing for a declaratory
5	judgment; to provide for proceedings for temporary restraining orders, injunctions,
6	and mandamus relative to the expenditure of state funds; and to provide for related
7	matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. Code of Civil Procedure Article 1878 is hereby amended and reenacted
10	to read as follows:
11	Art. 1878. Supplemental relief; expedited hearing for constitutional determination;
12	effect of pendency of other proceedings
13	A. Further relief based on a declaratory judgment or decree may be granted
14	whenever necessary or proper. The application therefor shall be by petition to a
15	court having jurisdiction to grant the relief. If the application is considered
16	sufficient, the court, on reasonable notice, shall require any adverse party whose
17	rights have been adjudicated by the declaratory judgment or decree, to show cause
18	why further relief should not be granted forthwith.
19	B. In any action or proceeding seeking a declaratory judgment as to the
20	constitutionality of the expenditure of state funds, the court shall set the matter with
21	preference and proceed to hear and determine the matter as expeditiously as the ends

1	of justice may require, notwithstanding resolution of a pending petition for
2	injunction sought pursuant to Article 3601 or a petition for mandamus sought
3	pursuant to Article 3862.
	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	PRESIDENT OF THE SENATE
	GOVERNOR OF THE STATE OF LOUISIANA

ENROLLED

HB NO. 218

APPROVED: _____