

2015 Regular Session

HOUSE BILL NO. 241

BY REPRESENTATIVE BARRAS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC PRINTING: Provides relative to the distribution and sale of certain public documents

1 AN ACT

2 To amend and reenact R.S. 24:205, R.S. 25:125, and R.S. 43:22 and to repeal R.S. 24:173,
3 relative to certain state publications and documents; to remove certain provisions
4 requiring the secretary of state to distribute certain publications and documents to
5 specified persons; to remove certain provisions providing certain publications to
6 certain persons and public entities free of charge; to provide relative to the fees
7 collected for certain publications by the secretary of state; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 24:205 is hereby amended and reenacted to read as follows:

11 §205. Reports; advisory capacity; printing and distribution of reports

12 The Louisiana State Law Institute, in submitting reports to the legislature
13 shall act solely in an advisory capacity. Its reports, studies, and recommended
14 publications shall be ~~printed and shall be distributed through the Secretary of State~~
15 in the same manner as acts of the legislature public and available as provided by law.

16 Section 2. R.S. 25:125 is hereby amended and reenacted to read as follows:

17 §125. Documents to be supplied to law library of state university; exchanges

18 A. ~~The secretary of state shall deliver to the law library of Louisiana State~~
19 ~~University and Agricultural and Mechanical College the following public documents,~~
20 ~~not later than ninety days after they are printed from time to time: ten copies of the~~
21 ~~Acts of the legislature, five copies of the journals of each house of the legislature,~~
22 ~~and five copies of the proceedings of any constitutional convention.~~

1 ~~B~~: In any contract which the Supreme Court may make for the printing of the
2 supreme court reports, provision shall be made that the printer thereof shall deliver
3 to the law library of Louisiana State University and Agricultural and Mechanical
4 College, without charge, fifty copies of each volume thereof within a reasonable time
5 after printing.

6 ~~C~~: B. The law library of the Louisiana State University and Agricultural and
7 Mechanical College shall exchange the public documents ~~enumerated in~~ received
8 pursuant to this Section for publications relating to government useful to students of
9 public law and to public officials; and shall catalogue such material so as to make it
10 serviceable to members of the legislature.

11 Section 3. R.S. 43:22 is hereby amended and reenacted to read as follows:

12 §22. Sale of ~~acts~~; Acts; price

13 The secretary of state shall retain and keep in the state archives at all times
14 one printed copy and one microfilm copy of the ~~acts~~ Acts of the legislature delivered
15 to him ~~under the provisions of~~ as provided in R.S. 43:19, ~~and, after making the~~
16 ~~distributions authorized by R.S. 24:173 and R.S. 25:125~~. The secretary of state shall
17 collect from any person or public or private entity to which he distributes a copy or
18 copies of the ~~acts~~ Acts of the legislature, ~~except any state agency or official of the~~
19 ~~state to which he is required by law to distribute copies including members of the~~
20 ~~legislature~~, a fee equal to the cost, plus ten percent of such cost, of printing and
21 delivery thereof. ~~The proceeds from collection of such fees shall be remitted by the~~
22 ~~secretary of state to the Supreme Court of Louisiana for the purchase of law books~~
23 ~~for the Law Library of Louisiana at New Orleans.~~

24 Section 4. R.S. 24:173 is hereby repealed in its entirety.

25 Section 5. This Act shall become effective upon signature by the governor or, if not
26 signed by the governor, upon expiration of the time for bills to become law without signature
27 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
28 vetoed by the governor and subsequently approved by the legislature, this Act shall become
29 effective on the day following such approval.

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)]

HB 241 Original

2015 Regular Session

Barras

Abstract: Removes provisions requiring the secretary of state to distribute certain publications and documents to specified officials, state agencies, and libraries free of charge and removes provisions requiring that the fees collected for copies of the Acts of the legislature be remitted by the secretary of state to the supreme court for the purchase of law books for the Law Library of La. at New Orleans.

Present law (R.S. 24:173) requires the secretary of state to distribute the current Acts and journals of the legislature to the following:

- (1) Each legislator, upon request in writing to the secretary no later than Sept. 1 of each year, not more than two copies of the Acts and journals.
- (2) Each department of state government and each state agency so designated by law, one copy of the Acts.
- (3) Each district attorney and sheriff and each clerk of the civil and criminal district courts throughout the state, one copy of the Acts; the clerk of each city, municipal, and juvenile court, one copy of the Acts and journals; and to the clerk or secretary of each parish governing authority, one copy of the Acts.
- (4) Each clerk of the courts of appeal of the state, three copies of the Acts.
- (5) The clerk of the Supreme Court of La., seven copies of the Acts and journals.
- (6) The clerk of each of the U.S. courts of appeal and district courts in and for the state of La., one copy of the Acts.
- (7) Each U.S. Senator and Representative elected from La., one copy of the Acts.
- (8) The State Library of La. and the Huey P. Long Memorial Library, three copies of the Acts and journals.
- (9) The Law Library of La. at New Orleans, 25 copies of the Acts to be used for library purposes and exchange purposes with state libraries of other states or other department or agencies thereof.

Present law further authorizes the secretary of state to distribute copies of Acts of the legislature to foreign governments or foreign institutions of learning as a means of promoting the free interchange of information regarding current social and legal developments.

Proposed law repeals present law.

Present law (R.S. 24:205) further requires the secretary of state to print and distribute the reports, studies, and recommended publications of the La. State Law Institute in the same manner as the Acts of the legislature. Proposed law removes this requirement and provides instead that such reports, studies, and recommended publications are public and available as provided by law.

Present law (R.S. 25:125) requires the secretary of state to deliver to the law library of LSU, no later than 90 days after they are printed, 10 copies of the Acts; five copies of the journals; and five copies of the proceedings of any constitutional convention. Requires the law library to exchange such documents for publications related to government useful to students of public law and to public officials, and to catalogue such material so as to make it serviceable to members of the legislature. Proposed law removes the requirement for the secretary of state to deliver the documents to the law library of LSU.

Present law (R.S. 43:22) requires the secretary of state to retain and keep in the state archives one printed copy and one microfilm copy of the Acts of the legislature, and after making the distributions required by present law (R.S. 24:173 and R.S. 25:125), to collect from any person or public or private entity to which he distributes a copy (except those to which he is required by law to distribute copies) a fee equal to the cost of printing and delivery plus 10%. Provides that the proceeds shall be remitted by the secretary of state to the Supreme Court for the purchase of law books for the Law Library of La. at New Orleans.

Proposed law removes the references to the distributions required by present law (R.S. 24:173 and R.S. 25:125) and removes the exception from the fee for such distributions. Further removes the requirement that the secretary of state remit the fee to the Supreme Court for the purchase of law books for the Law Library of La. at New Orleans.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 24:205, R.S. 25:125, and R.S. 43:22; Repeals R.S. 24:173)