

Regular Session, 2008
HOUSE BILL NO. 136
BY REPRESENTATIVE HENRY

ACT No. 625

1 AN ACT

2 To amend and reenact R.S. 13:917(A) and to enact R.S. 13:2562.26, relative to the
3 destruction of useless records by clerks of court; to provide for time limitations on
4 the destruction of records; to provide for conformity of such provisions in parish
5 courts in Jefferson Parish, including limitation of actions against the clerk or judge
6 for destruction of such records; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:917(A) is hereby amended and reenacted to read as follows:

9 §917. Destruction of useless records

10 A. The clerk of court may upon consent of the judge, or of the majority of
11 judges in districts with several divisions, destroy records of any of the following
12 judicial proceedings when such records have been deemed by the presiding judge or
13 judges to have no further use or value: suits on open accounts, tort suits, worker's
14 compensation suits, suits on unsecured notes, suits on promissory notes, suits on
15 chattel mortgages, and suits for eviction of tenants and occupants. However, such
16 proposed destruction shall only be authorized when ~~twenty-five~~ ten years have
17 elapsed from the last date of action on said record or records.

18 * * *

19 Section 2. R.S. 13:2562.26 is hereby enacted to read as follows:

20 §2562.26. Parish courts; Jefferson Parish; destruction of useless records

21 A. The clerk of court may, upon consent of the judge or of the majority of
22 judges in the jurisdictions with several divisions, destroy records of any of the
23 following judicial proceedings when such records have been deemed by the
24 presiding judge or judges to have no further use or value: suits on open accounts, tort

1 suits, suits on unsecured notes, suits on promissory notes, suits on chattel mortgages,
 2 and suits for eviction of tenants and occupants. However, such proposed destruction
 3 shall only be authorized when ten years have elapsed from the last date of action on
 4 the record or records.

5 B. No cause of action shall exist against any clerk or judge for the
 6 destruction of such records in accordance with the provisions of this Section.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____