

2016 Regular Session

HOUSE BILL NO. 1041

BY REPRESENTATIVE BACALA

COURTS/JUVENILE: Authorizes the use of electronic signatures on verified complaints

1 AN ACT

2 To enact Children's Code Article 813(D), relative to taking a child into custody with a court
3 order; to provide for the use of electronic signatures; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Children's Code Article 813(D) is hereby enacted to read as follows:

7 Art. 813. Taking child into custody with a court order; filing of verified complaint;
8 execution of court order

9 * * *

10 D.(1) The court may issue an order pursuant to the provisions of this Article
11 by use of an electronic signature.

12 (2) "Electronic signature" shall mean an electronic symbol, or process
13 attached to or logically associated with a record and executed or adopted by a person
14 with the intent to sign the record.

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 1041 Original

2016 Regular Session

Bacala

Abstract: Authorizes the use of electronic signatures in the issuance of an order to take a child into custody.

Present law authorizes the court to issue an order directing that a child be taken into custody upon presentation to the court of a written statement of facts sworn to before an officer authorized by law to administer oaths, by a peace officer, probation officer, district attorney, or other person designated by the court alleging facts showing that there is probable cause to believe either that:

- (1) The child has committed a delinquent act.
- (2) The child has violated the terms of his probation or otherwise has violated the terms of his release.

Proposed law retains present law and authorizes the judge to use electronic signatures for such orders.

(Adds Ch.C. Art. 813(D))