

RÉSUMÉ DIGEST

ACT 409 (HB 244)

2017 Regular Session

Hilferty

Existing law (C.E. Art. 902) provides, in part, that proof of authenticity as a condition precedent to admissibility is not required with respect to certain domestic public documents, both under seal and not under seal, certain foreign public documents, Acts of Congress and the La. Legislature, official publications, newspapers and periodicals, trade inscriptions, authentic and acknowledged acts, commercial paper, and certain labor reports from the La. Workforce Commission, or from any state or federal reporting agency.

Existing law (R.S. 13:3733) provides the business records reproduced by any electronic or photographic process meeting certain criteria shall be deemed an original or authentic copy of the original record and shall be deemed authentic evidence for all purposes, satisfying the requirements of C.E. Arts. 901 and 902.

Existing law (C.E. Art. 803(6)) provides a hearsay exception for records of regularly conducted business activities.

New law (C.E. Art. 902(11)) adds an additional exception in the Code of Evidence to the requirement of establishing authenticity of a business record in criminal cases only, but subject to existing law and rules prescribed by the La. Supreme Court.

New law requires the proponent to provide reasonable written notice of the intent to offer the record and a reasonable opportunity for inspection.

Effective August 1, 2017.

(Adds C.E. Art. 902(11))