

Regular Session, 2012

HOUSE BILL NO. 207

BY REPRESENTATIVE BROADWATER

COURTS/COURT COSTS: Provides with respect to the payment of certain costs and fees by the office of workers' compensation administration in workers' compensation insurance proceedings

1 AN ACT

2 To enact R.S. 23:1174.2, relative to the payment of court costs and filing fees in workers'
3 compensation liability insurance proceedings; to provide that the office of workers'
4 compensation administration shall not be required to pay for the cost of legal
5 proceedings or filing fees; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:1174.2 is hereby enacted to read as follows:

8 §1174.2. Exemption from payment of court costs and fees; office of workers'
9 compensation administration

10 The office of workers' compensation administration shall not be required to
11 furnish any court bond, nor to make a deposit for or pay any costs of court in any
12 legal proceedings, nor to pay any costs or fees in connection with the recordation in
13 the mortgage records of any parish of a sworn statement showing the amount of
14 contribution, interest, and penalties in default by an employer. No clerk of any court,
15 sheriff, recorder of mortgages, or any other public official shall fail or refuse to
16 perform any service in connection with proceedings brought by the office of workers'
17 compensation administration on the ground that costs have not been advanced or
18 guaranteed, nor shall they be entitled to charge for any certified copies of any

1 document which they shall be required to furnish on request of the office of workers'
2 compensation administration.

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)]

Broadwater

HB No. 207

Abstract: Provides that the office of workers' compensation administration (OWCA) shall be exempt from paying court costs, filing or recordation fees in workers' compensation liability insurance proceedings.

Present law (R.S. 13:4521) provides that the state, any parish, municipality, political subdivision, board, commission, or employee, when acting within the scope of his employment, shall be exempt from paying court costs in any judicial proceeding instituted or prosecuted by or against the state or political subdivision therein.

Present law provides certain exceptions to the exemption from costs.

Present law (R.S. 13:5112) requires that the state shall owe court costs in certain final judgments.

Present law (R.S. 23:1168.11-1172.2) provides that when an employer fails to secure workers' compensation insurance, cooperate in the security and administration of claims, or provide security for compensation; or if the employer makes any false, fraudulent, or misleading statement, or omits information for the purpose of avoiding the payment of workers' compensation insurance premiums, the OWCA may proceed against him.

Proposed law provides that the OWCA shall not be required to pay any court costs, filing fees, furnish any court bond, or pay for any certified copies in suits relative to workers' compensation insurance.

(Adds R.S. 23:1174.2)