

ACT No. 41

Regular Session, 2014

HOUSE BILL NO. 218

BY REPRESENTATIVE TALBOT

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 1878, relative to special civil
3 proceedings; to provide for declaratory judgments; to provide for expedited hearings;
4 to provide for the effect of supplemental proceedings on the hearing for a declaratory
5 judgment; to provide for proceedings for temporary restraining orders, injunctions,
6 and mandamus relative to the expenditure of state funds; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Code of Civil Procedure Article 1878 is hereby amended and reenacted
10 to read as follows:

11 Art. 1878. Supplemental relief; expedited hearing for constitutional determination;
12 effect of pendency of other proceedings

13 A. Further relief based on a declaratory judgment or decree may be granted
14 whenever necessary or proper. The application therefor shall be by petition to a
15 court having jurisdiction to grant the relief. If the application is considered
16 sufficient, the court, on reasonable notice, shall require any adverse party whose
17 rights have been adjudicated by the declaratory judgment or decree, to show cause
18 why further relief should not be granted forthwith.

19 B. In any action or proceeding seeking a declaratory judgment as to the
20 constitutionality of the expenditure of state funds, the court shall set the matter with
21 preference and proceed to hear and determine the matter as expeditiously as the ends

1 of justice may require, notwithstanding resolution of a pending petition for
2 injunction sought pursuant to Article 3601 or a petition for mandamus sought
3 pursuant to Article 3862.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____