HLS 13RS-3905 ORIGINAL

Regular Session, 2013

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HOUSE CONCURRENT RESOLUTION NO. 174

BY REPRESENTATIVE FOIL

EVIDENCE: Urges and requests the Louisiana State Law Institute to study and make recommendations relative to certain rules of evidence

A CONCURRENT RESOLUTION

2	To urge and request the Louisiana State Law Institute to study and make recommendations
3	relative to Code of Evidence Article 902 to provide for certain self-authenticated
4	records and to report its findings and recommendations to the Louisiana Legislature
5	no later than February 1, 2014.
6	WHEREAS, Code of Evidence Article 902 provides exceptions from the requirement
7	of extrinsic evidence of authenticity for certain documents; and
8	WHEREAS, business records of regularly conducted activities within the scope of
9	Code of Evidence Article 803(6) are frequently required to be admitted into evidence; and
10	WHEREAS, admitting such business records into evidence frequently requires the
11	testimony of an employee of the business in order to authenticate the records; and
12	WHEREAS, in many cases the parties to the action incur unnecessary expenses in
13	presenting the witness to the court when the parties would otherwise agree to recognizing
14	a certification from the witness to authenticate the records; and
15	WHEREAS, as is currently provided in the Mississippi Rules of Evidence,
16	authorizing certified records of regularly conducted business activities to be admitted into
17	evidence without having to call a witness to certify the records could, with certain safeguards
18	and procedures, eliminate unnecessary costs and delays in court proceedings.
19	THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
20	urge and request the Louisiana State Law Institute to study and make recommendations
21	relative to Code of Evidence Article 902 to provide for certain self-authenticated business

HLS 13RS-3905

ORIGINAL
HCR NO. 174

- 1 records and that it report its findings and recommendations to the Louisiana Legislature no
- 2 later than February 1, 2014.
- 3 BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted
- 4 to the director of the Louisiana State Law Institute.

## **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)]

Foil HCR No. 174

Urges and requests the Louisiana State Law Institute to study and make recommendations relative to Code of Evidence Article 902 to provide for certain self-authenticated records, and to report its findings and recommendations to the Louisiana Legislature no later than Feb. 1, 2014.