

Regular Session, 2012

HOUSE BILL NO. 1090

BY REPRESENTATIVE LIGI

1 AN ACT

2 To amend and reenact R.S. 49:958 and 964(B), relative to decisions and orders in
3 adjudication proceedings; to provide for notice of decisions and orders in
4 adjudication proceedings; to authorize the use of electronic means of notification;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 49:958 and 964(B) are hereby amended and reenacted to read as
8 follows:

9 §958. Decisions and orders

10 A final decision or order adverse to a party in an adjudication proceeding
11 shall be in writing or stated in the record. A final decision shall include findings of
12 fact and conclusions of law. Findings of fact, if set forth in statutory language, shall
13 be accompanied by a concise and explicit statement of the underlying facts
14 supporting the findings. If, in accordance with agency rules, a party submitted
15 proposed findings of fact, the decision shall include a ruling upon each proposed
16 finding. Parties shall be notified ~~either personally, or by mail, or by electronic means~~
17 of any decision or order. Upon request, a copy of the decision or order shall be
18 delivered or mailed forthwith to each party and to his attorney of record. The parties
19 by written stipulation may waive, and the agency in the event there is no contest may
20 eliminate, compliance with this Section.

21 * * *

22 §964. Judicial review of adjudication

23 * * *

1 B. Proceedings for review may be instituted by filing a petition in the district
 2 court of the parish in which the agency is located within thirty days after ~~mailing the~~
 3 transmittal of notice of the final decision by the agency or, if a rehearing is
 4 requested, within thirty days after the decision thereon. Copies of the petition shall
 5 be served upon the agency and all parties of record.

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7 Section 2. This Act shall become effective upon signature by the governor or, if not
 8 signed by the governor, upon expiration of the time for bills to become law without signature
 9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 10 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 11 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____