

GREEN SHEET REDIGEST

HB 221

2019 Regular Session

Stefanski

COURTS/MAYORS: Expands the jurisdiction of mayor's courts to include the collection of municipal utility debts

DIGEST

Proposed law expands the current jurisdiction of mayor's courts to allow for the collection of municipal utility debts. This jurisdiction shall be concurrent with the district courts where the amount in question does not exceed \$5,000. If the amount in question exceeds the jurisdictional limits of the mayor's court, the action shall be transferred to a court of proper jurisdiction. Additionally, the court shall appoint a lawyer to serve as a court magistrate to hear all civil utility debt suits. This magistrate will have the ability to impose court costs against the debtor not to exceed \$35.

Proposed law provides that any person against whom a judgment is rendered in a mayor's court shall have the right of direct appeal to the district court for the parish in which the mayor's court is situated which shall be tried de novo. Proposed law requires the appeal to be filed within ten days of the date of the judgment and authorizes the district court to assess costs as authorized by law to the party against whom judgment is rendered.

Proposed law provides that a party against whom a judgment is rendered shall be given written notice of the right to an appeal within 10 days of rendering of judgment. Proposed law provides that delay for appeal shall not run until the day after notice has been provided to the party.

Proposed law provides that there shall be no prepayment of court costs once the appellant has been determined to be indigent. The judge shall inform the appellant of his right to appeal.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 33:441(A)(5))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Allow the appellant to appeal at no prepayment of court cost once the appellant has been determined to be indigent.
2. Require the judge to inform the appellant of his rights.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the reengrossed bill

1. Provide for notification and delay for appeal.