

Regular Session, 2009

HOUSE BILL NO. 197

BY REPRESENTATIVE DOERGE

COURTS/CITY: Provides for an increase in fees for the marshal of the City Court of Minden and the marshal of the City Court of Springhill

1 AN ACT

2 To enact R.S. 13:1899(L), relative to fees charged in specified city courts; to provide for an
3 additional fee in juvenile matters in the City Court of Minden and in the City Court
4 of Springhill which funds shall be used to fund the office of the marshal; to provide
5 for a contingency effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:1899(L) is hereby enacted to read as follows:

8 §1899. Assessment and disposition of costs in criminal cases; costs in juvenile
9 matters for specified courts

10 * * *

11 L. In all juvenile matters in the City Court of Minden and the City Court of
12 Springhill, the city judge shall assess, in addition to the other costs assessed in this
13 Section, a sum not to exceed thirty dollars as additional costs of court. The proceeds
14 shall be deposited in a special account, separate and distinct from the account
15 provided for in Subsection B of this Section, which account shall be in the name of
16 and under the control of the marshal of the court, shall be subject to audit, and shall
17 be used to defray operational expenses of the office of marshal of the court, all as
18 may be useful and necessary for the proper conduct of the marshal's office, or for
19 purchase of law enforcement equipment, and all as may be provided by the marshal
20 or constable.

1 Section 2. Notwithstanding any other law to the contrary, the Judicial Council of the
2 Supreme Court of Louisiana shall review and conduct an evaluation of any proposed fee
3 increase in Section 1 of this Act. After review and recommendation, if the Judicial Council
4 agrees that a fee increase is necessary and reasonable, the jurisdiction listed in Section 1
5 shall have authority to implement a fee increase. This Act and the fee increase shall take
6 effect and become operative on October 1, 2009, only if the Judicial Council of the Supreme
7 Court of Louisiana has provided publication of notice in the Louisiana Register by
8 September 15, 2009, giving notice of a favorable review by the council approving the costs
9 increase provided for in House Bill No. 197 of the 2009 Regular Session of the Legislature
10 of Louisiana as required by the provisions of R.S. 13:62. If the Judicial Council finds, after
11 review and recommendation, that a fee increase is not necessary, the jurisdiction listed in
12 Section 1 shall not have authority to implement a fee increase and the bill shall be null and
13 void and have no effect.

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)]

Doerge

HB No. 197

Abstract: Provides for an additional fee not to exceed \$30 in juvenile matters in the City Court of Minden and the City Court of Springhill to be used to fund the office of the marshal.

Present law requires each judge of a city court to assess as costs of court the sum of \$15 or \$30, depending on the revenue of the office of the marshal, in all criminal matters, which fees shall be in the name of and under the control of the marshal or constable of the court and to be used to defray the operational expenses of the office of marshal or constable.

Proposed law requires each judge, in the City Court of Minden and in the City Court of Springhill, to assess an additional fee in juvenile matters not to exceed \$30.

Proposed law requires the proceeds to be deposited into a separate and distinct special account, which account shall be in the name of and under the control of the marshal of the court, shall be subject to audit, and shall be used to defray operational expenses of the office of marshal of the court, all as may be useful and necessary for the proper conduct of the marshal's office, or for purchase of law enforcement equipment, and all as may be proved by the marshal.

Proposed law provides for an evaluation of the fee increase by the Judicial Council and if approved by the council, proposed law and the fee increase become effective on Oct. 1, 2009. Provides that proposed law shall be null and void and have no effect, if the council finds that the fee increase is not necessary.

(Adds R.S. 13:1899(L))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Judiciary to the original bill.

1. Specifies that the proposed fee shall not exceed \$30.
2. Provides the fee increase shall become effective on Oct. 1, 2009, subject to approval by the Judicial Council and publication in the Louisiana Register, by Sept. 15, 2009.
3. Provides that proposed law shall be null and void and have no effect, if the council finds that the fee increase is not necessary.