

Regular Session, 2012

HOUSE BILL NO. 101

BY REPRESENTATIVES EDWARDS AND MACK

COURTS/COURT COSTS: Authorizes an increase in fees or court costs for the 21st Judicial District Court

1 AN ACT

2 To amend and reenact R.S. 13:996.6, relative to court costs for the Twenty-First Judicial
3 District Court; to authorize an increase in civil and criminal court costs in the
4 Twenty-First Judicial District Court; to provide for the allocation of funds to the
5 judicial expense fund; to require the sheriffs in the Twenty-First Judicial District to
6 collect court costs in criminal cases; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:996.6 is hereby amended and reenacted to read as follows:

9 §996.6. Judicial expense fund for Twenty-First Judicial District; established

10 A. In addition to all other fees or costs now or hereafter provided by law, the
11 clerk of court ~~of~~ in the respective parishes of the Twenty-First Judicial District shall
12 collect from every person filing any type of civil suit or proceeding and who is not
13 otherwise exempted by law from the payment of court costs, a sum to be determined
14 by the judges of ~~said~~ the district, sitting en banc, which sum shall not exceed ~~ten~~
15 twenty dollars, subject, however, to the provisions of Louisiana Code of Civil
16 Procedure, Article 5181, et seq. In all criminal cases over which the Twenty-First
17 Judicial District Court has jurisdiction, there shall be taxed as costs against every
18 defendant who is convicted after trial or after he pleads guilty or who forfeits his
19 bond, a sum likewise determined, but which shall not exceed ~~ten~~ twenty dollars,
20 which shall be in addition to all other fines, costs, or forfeitures lawfully imposed;

1 and which shall be transmitted to the said clerk for further disposition in accordance
2 ~~herewith~~ and which shall be collected by the sheriff in the respective parishes of the
3 Twenty-First Judicial District for further disposition in accordance with this Section.

4 B. The clerk of ~~each~~ court and the sheriff in the respective parishes of the
5 Twenty-First Judicial District shall place all sums collected or received under this
6 Section in a separate account to be designated as the Judicial Expense Fund for the
7 Twenty-First Judicial District Court ~~and the Judicial Expense Fund for the Twenty-~~
8 ~~Second Judicial District Court.~~ The judges, en banc, of the Twenty-First Judicial
9 District ~~and of the Twenty-Second Judicial District~~ shall have control over the fund
10 and all disbursements made therefrom. They shall cause to be conducted annually
11 an audit of the fund and the books and accounts relating thereto, and shall file the
12 same with the office of the legislative auditor where it shall be available for public
13 inspection.

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)]

Edwards

HB No. 101

Abstract: Authorizes a \$10 increase for civil and criminal court costs to be allocated to the judicial expense fund for the 21st Judicial District Court.

Present law authorizes the judges of the 21st JDC to determine an amount of not more than \$10 to be collected by the clerk of court from every person filing any type of civil suit or proceeding.

Proposed law retains present law except that it changes the amount authorized for collection by the clerk of court in each parish within the 21st JDC from an amount not to exceed \$10 to an amount not to exceed \$20.

Present law authorizes the judges of the 21st JDC to determine an amount of not more than \$10 to be collected in all criminal cases over which the 21st JDC has jurisdiction, from every defendant who is convicted after trial or after he pleads guilty or who forfeits his bond in addition to all other fines, costs, or forfeitures lawfully imposed. Present law requires these costs to be transmitted to the clerk for distribution.

Proposed law increases these criminal court costs from an amount not to exceed \$10 to an amount of not more than \$20 and requires the costs to be collected by the sheriff of each parish within the 21st JDC.

Present law requires the clerk of court to place all sums collected or received pursuant to present law into the judicial expense fund for the 21st and the 22nd JDC.

Proposed law requires the clerk of court and the sheriff in each parish within the 21st JDC to place all sums collected or received into the Judicial Expense Fund for the 21st JDC.

Present law requires the judges, en banc, of the 21st and 22nd JDC to have control over the judicial expense fund and its disbursements. Present law requires the judges to conduct an annual audit of the fund, the books, and accounts related to the fund and to file the audit with the legislative auditor for public inspection.

Proposed law retains present law with regard to the judges of the 21st JDC and provides that the judges of the 22nd JDC no longer have control over the fund and no longer are required to conduct audits.

(Amends R.S. 13:996.6)