SENATE COMMITTEE AMENDMENTS

2016 Regular Session

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 120 by Senator Martiny

1 AMENDMENT NO. 1

- On page 1, at the beginning of line 2, after "To" and before the comma "," delete "enact R.S.
 13:51" and insert the following:
- 4 "amend and reenact R.S. 13:2563.5(B) and 2563.17(A) through (C), and to enact 5 R.S. 13:2563.5(C)"
- 6 <u>AMENDMENT NO. 2</u>
- 7 On page 1, line 2, after "salaries;" delete the remainder of the line and insert the following:

8 "to provide for the payment of a judge's salary in Ascension Parish; to require the 9 appropriation of amounts sufficient to fully fund the operations of the Parish Court 10 in Ascension Parish; to provide with respect to the disposition of fees deposited into 11 the Ascension Parish Judicial Expense Fund; to provide with respect to authority of 12 the judge of the Ascension Parish Court with regard to the Ascension Parish Judicial 13 Expense Fund;"

- 14 AMENDMENT NO. 3
- 15 On page 1, delete line 3
- 16 <u>AMENDMENT NO. 4</u>
- 17 On page 1, line 4, at the beginning of the line, delete "Commission;"
- 18 AMENDMENT NO. 5

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- 19 On page 1, line 6, after "Section 1." delete the remainder of the line and insert the following:
- "R.S. 13:2563.5(B) and 2563.17(A) through (C) are hereby amended and reenacted
 and R.S. 13:2563.5(C) is hereby enacted to read as follows:
- 22 §2563.5. Judge; qualifications and salary
- 23 * *

B. He shall receive an annual salary of not less than sixty-eight thousand five hundred twenty-two dollars, payable monthly on his own warrant by the state of Louisiana, the parish of Ascension, the municipalities within the parish of Ascension, and the judicial expense fund for the Parish Court for the Parish of Ascension, apportioned as follows:

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(1) The state of Louisiana shall pay the sum of forty-four thousand two hundred sixty-five dollars per annum, subject to the increases mandated by R.S. <u>13:50</u>.

(2) The parish of Ascension shall pay the sum of seven thousand one hundred ten dollars per annum.

34 (3) The municipalities of Donaldsonville and Gonzales shall each pay the
 35 sum of seven thousand one hundred ten dollars per annum.

36 (4)(3) Any other municipality within the parish of Ascension shall each pay
 37 the sum of two thousand nine hundred twenty-seven dollars per annum.

(5)(4) The judicial expense fund for the Parish Court for the Parish of Ascension shall pay an amount equal to the difference between the total salary of the judge as specified in Paragraphs (1) through (4) (3) of this Subsection and the salary of a district court judge of the judicial district in which the parish court is located.

C. The governing authority of Ascension Parish shall annually appropriate from the parish general fund and the Ascension Parish Judicial Expense Fund amounts sufficient to fully fund the operations of the parish court, which shall include the salaries and benefits of the parish judge and the parish court's employees.

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§2563.17. Judicial expense fund Fees; Judicial Expense Fund; Probation Fund; established

A. In all criminal cases over which the court has jurisdiction, there shall be taxed as costs against every defendant who is convicted after trial or after a plea of guilty or who forfeits his bond, a sum determined by the judge of the parish court, which sum shall not exceed fifteen dollars, which shall be in addition to all other fines, costs or forfeitures lawfully imposed and which shall be transmitted to the clerk of court for further disposition in accordance herewith on a monthly basis to the chief financial officer of Ascension Parish, hereinafter referred to as "chief financial officer", for deposit into the Judicial Expense Fund. Any bench warrant fees collected by the court from a defendant shall also be transmitted to the clerk of court for further disposition in accordance herewith chief financial officer for further disposition in accordance herewith chief financial officer for further disposition in accordance herewith chief financial officer for further disposition in accordance herewith chief financial officer for further disposition in accordance herewith chief financial officer for further disposition in accordance herewith chief financial officer for further disposition in accordance herewith chief financial officer for further disposition in accordance herewith chief financial officer for deposit into the Judicial Expense Fund.

24 B. The clerk of court chief financial officer shall place all sums collected 25 or received under Subsection A of this Section in a separate account to be designated 26 as the Judicial Expense Fund for the Parish Court for the Parish of Ascension. The 27 judge of the parish court governing authority of Ascension Parish shall have 28 control over the fund and all disbursements made therefrom. He, shall cause to be 29 conducted annually an audit of the fund and the books and accounts relating thereto, 30 and shall file the same with the office of the legislative auditor where it shall be 31 available for public inspection.

32 C. The judicial expense fund is established and may be used for any purpose 33 or purposes connected with, incidental to, or related to the proper administration or 34 function of the said court or the offices of the judge, and is in addition to any and all 35 other funds, salaries, expenses, or other monies that are now or hereafter provided, 36 authorized, or established by law for any of the aforesaid purposes. However, no 37 salary shall be paid from the judicial expense fund to the judge, except the judge appointed temporarily under the provisions of R.S. 13:2563.9 and as provided in R.S. 38 39 13:2563.5(B)(5) R.S. 13:2563.5(B)(4) and (C).

- 40 * * * *"
- 41 <u>AMENDMENT NO. 6</u>
- 42 On page 1, delete lines 7 through 14
- 43 AMENDMENT NO. 7

44 On page 1, line 15, after "Section" and before "shall", delete "3. The provisions of Sections

45 1 and 2" and insert "2. The provisions of Section 1"