

2021 Regular Session

HOUSE BILL NO. 248

BY REPRESENTATIVE JAMES

CORRECTIONS: Decreases probation and parole fees for certain offenders

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 895.1(C) and R.S.
3 15:574.4.2(A)(2)(e), relative to fees for probation and parole supervision; to provide
4 for a decrease in the fees for defendants on unsupervised probation and parolees on
5 inactive status; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Article 895.1(C) is hereby amended and
8 reenacted to read as follows:

9 Art. 895.1. Probation; restitution; judgment for restitution; fees

10 * * *

11 C.(1) When the court places the defendant on supervised probation, it shall
12 order as a condition of probation a monthly fee of not less than sixty nor more than
13 one hundred ten dollars payable to the Department of Public Safety and Corrections
14 or such other probation office, agency, or officer as designated by the court, to defray
15 the cost of supervision which includes salaries for probation and parole officers. If
16 the probation supervision services are rendered by an agency other than the
17 department, the fee may be ordered payable to that agency. These fees are only to
18 supplement the level of funds that would ordinarily be available from regular state
19 appropriations or any other source of funding.

1 (2) When the court places the defendant on unsupervised probation, it shall
2 order as a condition of probation a monthly fee of not more than one dollar payable
3 to the Department of Public Safety and Corrections or such other probation office,
4 agency, or officer as designated by the court.

5 * * *

6 Section 2. R.S. 15:574.4.2(A)(2)(e) is hereby amended and reenacted to read as
7 follows:

8 §574.4.2. Decisions of committee on parole; nature, order, and conditions of parole;
9 rules of conduct; infectious disease testing

10 A.

11 * * *

12 (2)

13 * * *

14 (e) Pay supervision fees to the Department of Public Safety and Corrections
15 in an amount not to exceed sixty-three dollars based upon his ability to pay as
16 determined by the committee on parole. A parolee placed on inactive status, as
17 provided for in R.S. 15:574.7(E)(2), shall only be required to pay a supervision fee
18 in an amount not to exceed one dollar. Supervision fee payments are due on the first
19 day of each month and may be used to defray the cost of supervision which includes
20 salaries for probation and parole officers.

21 * * *

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)]

HB 248 Engrossed

2021 Regular Session

James

Abstract: Decreases the amount of probation fees and parole fees for defendants placed on unsupervised probation and parolees placed on inactive status.

Present law (C.Cr.P. Art. 895.1) provides for a monthly supervision fee of not less \$60 nor more than \$100 when the court places the defendant on supervised probation. Further provides that the fee is payable to the Dept. of Public Safety and Corrections or other such

probation office, agency, or officer as designated by the court, to defray the cost of supervision.

Proposed law retains present law but provides that when the court places the defendant on unsupervised probation, it shall order as a condition of probation a monthly fee of not more than one dollar to be payable to the Dept. of Public Safety and Corrections or other such probation office, agency, or officer as designated by the court.

Present law (R.S. 15:574.4.2) provides that as a condition of parole, the committee on parole may require, either at the time of a prisoner's release on parole or at any time while he remains on parole, a supervision fee to be paid to the Dept. of Public Safety and Corrections in an amount not to exceed \$63, which shall be based upon his ability to pay as determined by the committee on parole.

Proposed law decreases the present law supervision fee to an amount not to exceed one dollar for any parolee placed on inactive status, as provided for by present law (R.S. 15:574.7(E)(2)).

(Amends C.Cr.P. Art. 895.1(C) and R.S. 15:574.4.2(A)(2)(e))