

Regular Session, 2014

SENATE BILL NO. 478

BY SENATOR CLAITOR

COURTS. Authorizes the levy of a warrant recall fee to fund a misdemeanor jail in East Baton Rouge Parish. (8/1/14)

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AN ACT

To enact R.S. 13:996.69, relative to courts and judicial procedure; to authorize all courts in East Baton Rouge Parish to levy a warrant recall fee to fund a misdemeanor detention facility; to provide for the collection of the fee; to provide for the expenditure of funds collected; to provide reporting requirements; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:996.69 is hereby enacted to read as follows:

**§996.69. Misdemeanor Detention Fund; East Baton Rouge Parish**

**A. Subject to the approval of the Judicial Council of the Louisiana Supreme Court, all courts within the parish of East Baton Rouge are authorized to levy and impose a warrant recall fee of fifty dollars on all persons who fail to appear as ordered on all misdemeanor offenses and traffic offenses where a warrant for arrest is issued, the proceeds of which shall be used to pay the expenses of operating a misdemeanor detention facility in the parish.**

**B. The clerks of court shall place all sums collected or received under**

1        this Section with the finance director for the city of Baton Rouge and parish of  
 2        East Baton Rouge, who shall place the funds in a separate account to be  
 3        designated as the Misdemeanor Detention Fund. All monies in this account  
 4        shall be used solely for the purpose of paying expenses associated with the  
 5        operation of a misdemeanor detention facility in the parish. The finance  
 6        director shall cause to be conducted annually an audit of the fund and the books  
 7        and accounts relating thereto, and shall file the same with the office of the  
 8        legislative auditor, where it shall be available for public inspection.

9            C. All law enforcement agencies within the parish shall confer for the  
 10        purpose of creating and implementing additional pilot programs for the  
 11        periodic targeted enforcement of outstanding warrants until sufficient revenues  
 12        are generated to sustain the permanent operation of the misdemeanor detention  
 13        facility.

14            D. The mayor-president of the city of Baton Rouge and the parish of  
 15        East Baton Rouge shall be authorized to expend funds and enter into  
 16        cooperative endeavor agreements with the sheriff of East Baton Rouge Parish  
 17        and all courts within the parish in order to carry out the provisions of this  
 18        Section, subject to the approval of the Metropolitan Council of the city of Baton  
 19        Rouge and the parish of East Baton Rouge.

20            E. The mayor-president through the finance department shall report  
 21        quarterly to the Metropolitan Council and the courts within the parish on the  
 22        matters set forth in this Section, including recommendations regarding  
 23        necessary adjustments and the financial feasibility of the misdemeanor warrant  
 24        enforcement programs.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Alden A. Clement, Jr.

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#### DIGEST

Claitor (SB 478)

Proposed law provides that, subject to the approval of the Judicial Council of the Louisiana Supreme Court, all courts within the parish of East Baton Rouge may levy a warrant recall fee of \$50 on all persons who fail to appear as ordered on all misdemeanor offenses and

traffic offenses where a warrant for arrest has been issued, the proceeds of which are to pay the expenses of operating a misdemeanor detention facility in the parish.

Proposed law provides that the clerks of court are to place all sums collected under proposed law with the finance director for the city of Baton Rouge and parish of East Baton Rouge, who is to place the funds in a separate account designated as the Misdemeanor Detention Fund. Proposed law further provides that all monies in this account are to be used solely for paying expenses associated with the operation of a misdemeanor detention facility in the parish. Proposed law further provides that the finance director is to have an annual audit of the fund conducted, and the audit is to be filed with the office of the legislative auditor and made available for public inspection.

Proposed law provides that all law enforcement agencies within the parish are to confer to create and implement additional pilot programs for the periodic targeted enforcement of outstanding warrants until sufficient revenues are generated to sustain the permanent operation of the misdemeanor detention facility.

Proposed law provides that the mayor-president of Baton Rouge is authorized to expend funds and enter into cooperative endeavor agreements with the sheriff and all courts within East Baton Rouge Parish in order to carry out the provisions of proposed law, subject to the approval of the Baton Rouge Metropolitan Council.

Proposed law provides that the mayor-president, through the city-parish finance department, is to report quarterly to the Metropolitan Council and the courts within the parish on the matters set forth in proposed law, including recommendations regarding necessary adjustments and the financial feasibility of the misdemeanor warrant enforcement programs.

Effective August 1, 2014.

(Adds R.S. 13:996.69)