

SENATE BILL NO. 478

BY SENATOR CLAITOR

1 AN ACT

2 To enact R.S. 13:1000.10, 1415, 2002.1, 2488.40, and Part X of Chapter 7 of Title 13 of the  
3 Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:2489.1, relative to  
4 courts and judicial procedure; to authorize all courts in East Baton Rouge Parish to  
5 levy a warrant recall fee to fund a misdemeanor detention facility; to provide for the  
6 collection of the fee; to provide for the expenditure of funds collected; to provide  
7 reporting requirements; and to provide for related matters.

8 Notice of intention to introduce this Act has been published.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 13:1000.10, 1415, 2002.1, 2488.40, and Part X of Chapter 7 of Title  
11 13 of the Louisiana Revised Statutes of 1950, comprised of R.S. 13:2489.1, are hereby  
12 enacted to read as follows:

13 **§1000.10. Nineteenth Judicial District Court; additional warrant recall fees;**

14 **Misdemeanor Detention Fund**

15 **A. The Nineteenth Judicial District Court shall levy and impose a**  
16 **warrant recall fee of fifty dollars on all persons who fail to appear as ordered**  
17 **on all misdemeanor offenses and traffic offenses where a warrant for arrest is**  
18 **issued, the proceeds of which shall be used to pay the expenses of operating a**  
19 **misdemeanor detention facility in the parish. No more than four warrant recall**  
20 **fees shall be imposed by each judge against any person pursuant to the**  
21 **provisions of this Subsection.**

22 **B. The clerk of court shall place all sums collected or received pursuant**  
23 **to this Section with the finance director for the parish of East Baton Rouge, who**  
24 **shall place the funds in a separate account to be designated as the Misdemeanor**  
25 **Detention Fund. All monies in this account shall be used solely for the purpose**  
26 **of paying expenses associated with the operation of a misdemeanor detention**

1 facility in the parish. The finance director shall cause to be conducted annually  
 2 an audit of the fund and the books and accounts relating thereto, and shall file  
 3 the same with the office of the legislative auditor, where it shall be available for  
 4 public inspection.

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

10 D. The mayor-president for the parish of East Baton Rouge shall be  
 11 authorized to expend funds and enter into cooperative endeavor agreements  
 12 with all courts, the sheriff of East Baton Rouge Parish, and all other law  
 13 enforcement agencies within the parish in order to carry out the provisions of  
 14 this Section, subject to the approval of the Metropolitan Council of East Baton  
 15 Rouge Parish.

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

21 \* \* \*

22 §1415. East Baton Rouge Parish Family Court; additional warrant recall fees;  
 23 Misdemeanor Detention Fund

24 A. The East Baton Rouge Parish Family Court shall levy and impose a  
 25 warrant recall fee of fifty dollars on all persons who fail to appear as ordered  
 26 on all misdemeanor offenses and traffic offenses where a warrant for arrest is  
 27 issued, the proceeds of which shall be used to pay the expenses of operating a  
 28 misdemeanor detention facility in the parish.

29 B. The clerk of court shall place all sums collected or received pursuant  
 30 to this Section with the finance director for the parish of East Baton Rouge, who

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

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

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

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

24 \* \* \*

25 §2002.1. Baton Rouge City Court; additional warrant recall fees;  
 26 Misdemeanor Detention Fund

27 A. The Baton Rouge City Court shall levy and impose a warrant recall  
 28 fee of twenty-five dollars on all persons who fail to appear as ordered on all  
 29 misdemeanor offenses and traffic offenses where a warrant for arrest is issued,  
 30 the proceeds of which shall be used to pay the expenses of operating a

1 misdemeanor detention facility in the parish. No more than four warrant recall  
2 fees shall be imposed by each judge against any person pursuant to the  
3 provisions of this Subsection.

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

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

18 D. The mayor-president for the parish of East Baton Rouge shall be  
19 authorized to expend funds and enter into cooperative endeavor agreements  
20 with all courts, the sheriff of East Baton Rouge Parish, and all other law  
21 enforcement agencies within the parish in order to carry out the provisions of  
22 this Section, subject to the approval of the Metropolitan Council of East Baton  
23 Rouge Parish.

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

29 F. Notwithstanding any other provision of law to the contrary, the fees  
30 provided for in this Section, shall be in addition to any other lawfully imposed

1 costs, fees, fines, or forfeitures.

2 \* \* \*

3 §2488.40. Baker City Court; additional warrant recall fees; Misdemeanor

4 Detention Fund

5 A. The Baker City Court shall levy and impose a warrant recall fee of  
6 fifty dollars on all persons who fail to appear as ordered on all misdemeanor  
7 offenses and traffic offenses where a warrant for arrest is issued, the proceeds  
8 of which shall be used to pay the expenses of operating a misdemeanor detention  
9 facility in the parish. No more than four warrant recall fees shall be imposed  
10 by each judge against any person pursuant to the provisions of this Subsection.

11 B. The clerk of court shall place all sums collected or received pursuant  
12 to this Section with the finance director for the parish of East Baton Rouge, who  
13 shall place the funds in a separate account to be designated as the Misdemeanor  
14 Detention Fund. All monies in this account shall be used solely for the purpose  
15 of paying expenses associated with the operation of a misdemeanor detention  
16 facility in the parish. The finance director shall cause to be conducted annually  
17 an audit of the fund and the books and accounts relating thereto, and shall file  
18 the same with the office of the legislative auditor, where it shall be available for  
19 public inspection.

20 C. All law enforcement agencies within the parish shall confer for the  
21 purpose of creating and implementing additional pilot programs for the  
22 periodic targeted enforcement of outstanding warrants until sufficient revenues  
23 are generated to sustain the permanent operation of the misdemeanor detention  
24 facility.

25 D. The mayor-president for the parish of East Baton Rouge shall be  
26 authorized to expend funds and enter into cooperative endeavor agreements  
27 with all courts, the sheriff of East Baton Rouge Parish, and all other law  
28 enforcement agencies within the parish in order to carry out the provisions of  
29 this Section, subject to the approval of the Metropolitan Council of East Baton  
30 Rouge Parish.



1 authorized to expend funds and enter into cooperative endeavor agreements  
 2 with all courts, the sheriff of East Baton Rouge Parish, and all other law  
 3 enforcement agencies within the parish in order to carry out the provisions of  
 4 this Section, subject to the approval of the Metropolitan Council of East Baton  
 5 Rouge Parish.

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

\_\_\_\_\_  
 PRESIDENT OF THE SENATE

\_\_\_\_\_  
 SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_