

Regular Session, 2014

HOUSE BILL NO. 1107

BY REPRESENTATIVES CONNICK AND DOVE

AN ACT

To enact R.S. 13:1000.10 and 2562.27, relative to certain district and parish courts; to authorize the assessment of additional costs for certain alcohol-related violations; to authorize certain district or parish courts with certain specialized divisions or sections to impose certain costs; to require the creation of a special fund for deposit of all costs collected; to provide for the disposition and use of collected funds; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:1000.10 and 2562.27 are hereby enacted to read as follows:

§1000.10. Twenty-Fourth Judicial District Court; specialized divisions; additional costs; certain violations

A. Notwithstanding any other provision of law to the contrary, and in addition to any fines, forfeitures, costs, or penalties, a judge in the Twenty-Fourth Judicial District Court with a specialized alcohol division as defined in this Section may assess the following additional costs to any person convicted of the following offenses:

(1) One hundred dollars for a violation of R.S. 14:98 or 98.1, prohibiting the operation of a motor vehicle while under the influence of alcohol or drugs.

(2) One hundred dollars for a violation of R.S. 14:99, or any municipal or parochial ordinance prohibiting the reckless operation of a motor vehicle.

(3) Fifty dollars for a violation of R.S. 14:92, 93.11, 93.12, or 333, or of any municipal or parochial ordinance prohibiting the purchase or public possession of alcoholic beverages by persons under the age of twenty-one years old.

(4) Twenty-five dollars for a violation of R.S. 14:91.7, 103, or 107, or of any municipal or parochial ordinance prohibiting public drinking, public possession of alcohol, or appearing in an intoxicated condition in public.

(5) Twenty-five dollars for a violation of R.S. 32:300, or of any municipal or parochial ordinance prohibiting the possession of open alcoholic beverage containers in vehicles.

(6) Twenty-five dollars for all other convictions of a felony, misdemeanor, or any municipal or parochial ordinance, including a traffic felony, misdemeanor, or a local traffic violation where the use of alcohol was a factor in the commission of the crime.

B. For purposes of this Section, a district court with a specialized alcohol division is defined as a district court that designates by court rule a division or section of the court which has subject matter jurisdiction for alcohol-related offenses, including but not limited to driving while intoxicated, and is also certified or approved by the Louisiana Highway Safety Commission and the Louisiana Supreme Court.

C. Any district court with a specialized alcohol division or section shall establish a fund to deposit all fees collected pursuant to this Section. All funds collected shall be used solely for the purposes of funding the approved alcohol or driving while intoxicated division or section and any treatment programs and administrative expenses associated with the program.

D. In the event that an individual is unable to pay the cost when assessed, the court may allow payment to be deferred within a certain time frame, based on the person's ability to pay the costs.

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1        §2562.27. Parish courts; Jefferson Parish; specialized divisions; additional costs;  
2                    certain violations

3                A. Notwithstanding any other provision of law to the contrary, and in  
4                addition to any fines, forfeitures, costs, or penalties, a judge in a parish court within  
5                Jefferson Parish, with a specialized alcohol division or a judge in a parish court that  
6                has within the judicial district a specialized alcohol division as defined in this  
7                Section, may assess the following additional costs to any person convicted of the  
8                following offenses:

9                    (1) One hundred dollars for a violation of R.S. 14:98 or 98.1, prohibiting the  
10                  operation of a motor vehicle while under the influence of alcohol or drugs.

11                  (2) One hundred dollars for a violation of R.S. 14:99, or any municipal or  
12                  parochial ordinance prohibiting the reckless operation of a motor vehicle.

13                  (3) Fifty dollars for a violation of R.S. 14:92, 93.11, 93.12, or 333, or of any  
14                  municipal or parochial ordinance prohibiting the purchase or public possession of  
15                  alcoholic beverages by persons under the age of twenty-one years old.

16                  (4) Twenty-five dollars for a violation of R.S. 14:91.7, 103, or 107, or of any  
17                  municipal or parochial ordinance prohibiting public drinking, public possession of  
18                  alcohol, or appearing in an intoxicated condition in public.

19                  (5) Twenty-five dollars for a violation of R.S. 32:300, or of any municipal  
20                  or parochial ordinance prohibiting the possession of open alcoholic beverage  
21                  containers in vehicles.

22                  (6) Twenty-five dollars for all other convictions of a felony, misdemeanor,  
23                  or any municipal or parochial ordinance, including a traffic felony, misdemeanor, or  
24                  a local traffic violation where the use of alcohol was a factor in the commission of  
25                  the crime.

26                B. For purposes of this Section, a parish court with a specialized alcohol  
27                division is defined as a parish court that designates by court rule a division or section  
28                of the court which has subject matter jurisdiction for alcohol-related offenses,  
29                including but not limited to driving while intoxicated, and is also certified by the  
30                Louisiana Highway Safety Commission and the Louisiana Supreme Court.

1                    C. Any parish court with a specialized alcohol division or section shall  
2                    establish a fund to deposit all costs collected pursuant to this Section. All funds  
3                    collected shall be used solely for the purposes of funding the designated and  
4                    approved alcohol or driving while intoxicated division or section and any treatment  
5                    programs and administrative expenses associated with the program.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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