

Regular Session, 2014

HOUSE BILL NO. 54

BY REPRESENTATIVES JAMES AND FOIL

1 AN ACT

2 To enact R.S. 13:1894.2, relative to city or municipal courts; to require the assessment of
3 additional costs for specific alcohol related violations; to require any city or
4 municipal court with certain specialized divisions or sections to impose certain costs;
5 to require the creation of a special fund for deposit of all fees collected; to provide
6 for the disposition and use of collected fees; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:1894.2 is hereby enacted to read as follows:

9 §1894.2. Additional costs; certain violations

10 A. Notwithstanding any other provision of law to the contrary, and in
11 addition to any fines, forfeitures, costs, or penalties, a person convicted of a felony,
12 a misdemeanor, or a violaton of local ordinance, including a traffic felony,
13 misdemeanor, or local traffic violation, shall be assessed an additional cost in any
14 matter where the use of alcohol was a factor involved in the commission of a crime.
15 Any court that designates by rule, divisions, or sections of the court as a specialized
16 division or section having subject matter jurisdiction for alcohol related offenses
17 including driving while intoxicated, shall assess the following costs:

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

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

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

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

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

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

11 B. Any court that has an alcohol, driving while intoxicated, or sobriety
12 division may use the fines provided for in Subsection A of this Section for the
13 development or maintenance of alcohol treatment programs that are recognized or
14 certified by the Louisiana Supreme Court Drug Court Office, the National Highway
15 Traffic Safety Administration, or by the Louisiana Highway Safety Commission.

16 C. The court shall establish a fund to deposit all fees collected pursuant to
17 this Section. The collected fines shall be used solely for the purposes of funding the
18 approved alcohol, driving while intoxicated, or sobriety division and any related
19 treatment programs and associated administrative expenses. In the event that an
20 individual is unable to pay the cost when assessed, the court may allow payment to
21 be deferred within a certain time frame, based on the person's ability to pay the costs.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____