

HOUSE SUMMARY OF SENATE AMENDMENTS**HB 69****2015 Regular Session****James**

COURTS/CITY: Provides for the collection of additional court costs in Baton Rouge City Court to fund technology enhancements

Synopsis of Senate Amendments

1. Adds provisions which extends authority to collect court costs and service charges until lease obligations are paid.
2. Adds an alternative that certain costs and charges may be imposed by the clerk if the commission leases a privately constructed facility for use as a courthouse and such lease agreement is executed.
3. Requires issues related to the ownership and liability for maintenance and operation expenses to be provided for in the lease or sublease of the courthouse or by cooperative endeavor agreement between the commission and Orleans Parish only if the new courthouse is located on property owned by the city of New Orleans.
4. Changes the termination date for the collection of costs and charges from Aug. 15, 2015 to Aug. 15, 2016, and adds the alternative for the execution of a lease agreement for the privately constructed facility for use as a courthouse by Aug. 15, 2016.

Digest of Bill as Finally Passed by Senate

Proposed law, relative to the Baton Rouge City Court, authorizes the clerk of such court to collect an additional fee not to exceed \$10 in all civil filings, subject to the provisions of present law (C.C.P. Art. 5181), which provides an exception for those individuals who are unable to pay court costs due to poverty or lack of means.

Proposed law authorizes Baton Rouge City Court judges to assess an additional fee not to exceed \$10 against every defendant in criminal cases, including traffic offenses, who is convicted after trial or who pleads guilty or forfeits bond.

Proposed law requires the clerk to deposit all funds collected into a separate account (court technology fund) to be expended solely by the clerk for the acquisition and maintenance of new and existing electronic case management systems, including costs associated with professional services, licensing, support, and equipment for such systems, and for technology enhancements of court operations.

Proposed law requires the adoption of a resolution or ordinance by the local governing authority prior to the creation of the account and the collection of fees.

Present law provides procedures, powers and duties of the Civil District Court for the parish of Orleans' judicial building fund, including the power to levy certain additional costs and charges until the bonded indebtedness is paid.

Proposed law retains present law and extends such authority to collect court costs and service charges until lease obligations are paid.

Present law prohibits the collection of specific costs and charges that may be imposed by the clerk until such time that public bids are let for the construction project.

Proposed law retains present law and adds an alternative that the costs and charges may be imposed if the Civil District Court for the parish of Orleans Judicial District Court Building Commission (commission) leases a privately constructed facility for use as a courthouse and such lease agreement is executed.

Present law requires issues related to the ownership and liability for maintenance and operation expenses to be provided for in the lease or sublease of the courthouse or by cooperative endeavor agreement between the commission and Orleans Parish.

Proposed law retains present law except that it changes the application of present law to apply only if the new courthouse is located on property owned by the city of New Orleans.

Present law provides that if public bids are not let for the construction of a facility by August 15, 2015, the authority to levy such additional costs and charges shall terminate.

Proposed law changes the termination date for the collection of costs and charges from Aug. 15, 2015 to Aug. 15, 2016, and adds the alternative for the execution of a lease agreement for the privately constructed facility for use as a courthouse by Aug. 15, 2016.

(Amends R.S. 13:996.67(A), (B)(1) and (2), (C)(3) and (6), and (D); Adds R.S. 13:2002.2)