

GREEN SHEET REDIGEST

HB 92

2016 Regular Session

James

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

**COURTS/COURT COSTS: Repeals the warrant recall fees collected to fund a misdemeanor jail in East Baton Rouge Parish**

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DIGEST

Present law requires the 19th JDC, East Baton Rouge Parish Family Court, Baker City Court, and the Zachary City Court to levy and impose a \$50 warrant recall fee on all persons who fail to appear on all misdemeanor offenses and traffic offenses where a warrant for arrest is issued. Provides that the proceeds shall be used to pay the expenses of operating a misdemeanor detention facility in the parish.

Present law requires the Baton Rouge City Court to levy and impose a \$25 warrant recall fee on all persons who fail to appear on all misdemeanor offenses and traffic offenses where a warrant for arrest is issued. Provides that the proceeds shall be used to pay the expenses of operating a misdemeanor detention facility in East Baton Rouge Parish.

Present law requires each clerk of court to place all sums collected or received with the finance director for the parish of East Baton Rouge, who shall place the funds in the Misdemeanor Detention Fund.

Present law requires all monies in this account to be used solely for the purpose of paying expenses associated with the operation of a misdemeanor detention facility in the parish and requires the finance director to conduct an annual audit of the fund.

Present law requires all law enforcement agencies within the parish to confer for the purpose of creating and implementing 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.

Present law authorizes the mayor-president to expend funds and enter into cooperative endeavor agreements with all courts, the sheriff of East Baton Rouge Parish, and all other law enforcement agencies within the parish in order to carry out the provisions of present law, subject to the approval of the Metropolitan Council.

Present law requires the mayor-president through the finance department to report quarterly to the Metropolitan Council and the courts within the parish on the Misdemeanor Detention Fund, including recommendations regarding necessary adjustments and the financial feasibility of the misdemeanor warrant enforcement programs.

Proposed law repeals present law, and requires monies in the Misdemeanor Detention Fund to be returned to the court that collected those sums.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Repeals R.S. 13:1000.10, 1415, 2002.1, 2488.40, and 2489.1)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill

1. Provides that the sums collected from the Misdemeanor Detention Fund shall be distributed in equal parts to the court that collected the funds, the public defender's office, and the district attorney's office.
2. Makes technical amendments.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the reengrossed bill

1. Returns the monies collected and deposited into the Misdemeanor Detention Fund to the court that collected those sums.
2. Provides that the Act shall become effective upon signature of the governor or lapse of time for gubernatorial action.