

2016 Regular Session

HOUSE BILL NO. 627

BY REPRESENTATIVE JACKSON

1 AN ACT

2 To amend and reenact R.S. 33:441(A)(2) and (3) and Section 2 of Act No. 13 of the 2013
3 Regular Session of the Legislature and to enact R.S. 33:441(A)(4), relative to court
4 costs assessed by mayor's courts; to authorize an additional court cost to be assessed;
5 to provide that a portion of such costs shall support the local public defender's office;
6 to provide for effectiveness; to extend the effectiveness of court costs authorized to
7 be imposed in certain mayor's courts; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 33:441(A)(2) and (3) are hereby amended and reenacted and R.S.
10 33:441(A)(4) is hereby enacted to read as follows:

11 §441. Mayor's court

12 A.

13 * * *

14 (2) Notwithstanding any other provision of law to the contrary, the mayor
15 may impose additional court costs not to exceed twenty dollars for each offense, as
16 defined by ordinance or traffic violation, on any defendant convicted of a violation
17 of a municipal ordinance, provided that ten dollars of such additional court costs
18 collected shall be remitted to the local public defender's office.

19 ~~(2)~~(3) The mayor may suspend the execution in whole or in part of a fine or
20 imprisonment, or both, imposed for violation of a municipal ordinance and place the
21 defendant on unsupervised or supervised probation with such conditions as the
22 mayor may fix and, at any time during the probation, modify, add, or discharge. The
23 probation shall be for a period as the mayor shall specify up to one year. The mayor

may terminate or revoke the probation at any time. At the termination of the probation, the mayor may set the conviction aside and dismiss the prosecution.

(3)(4) Notwithstanding any other provision of law to the contrary, when a defendant has been convicted of violation of a municipal ordinance, the mayor may suspend the imposition or the execution of the whole or any part of the sentence and place the defendant on unsupervised probation upon such conditions as the mayor may fix. Such suspension of sentence and probation shall be for a period of six months or such shorter period as the mayor may specify. But in no case shall the probationary period imposed exceed the maximum penalty of imprisonment that may be imposed for violation of a particular ordinance.

* * *

Section 2. Section 2 of Act No. 13 of the 2013 Regular Session of the Legislature is hereby amended to read as follows:

Section 2. R.S. 33:447.11 as enacted by this Act shall be null and void on and after August 1, 2020 ~~2016~~.

Section 3. This Act shall become effective upon signature by the governor or if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____