2016 Regular Session

#### HOUSE BILL NO. 689

#### BY REPRESENTATIVE JONES

| 1  | AN ACT   |
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| 2  | To amend and reenact R.S. 13:2005.1, 2488.7, and 2488.77 and to enact R.S. 13:2005(D)    |
| 3  | and (E) and 2013, relative to city courts; to provide for the city courts of New Iberia, |
| 4  | Franklin, Breaux Bridge, Jeanerette, and Morgan City; to provide for the creation of     |
| 5  | Indigent Defender Fund Boards in those city courts; to provide for membership; to        |
| 6  | provide relative to fees collected for purposes of indigent defense; to deposit a        |
| 7  | portion of those fees into a special fund; and to provide for related matters.           |
| 8  | Be it enacted by the Legislature of Louisiana:   |
| 9  | Section 1. R.S. 13:2005.1, 2488.7, and 2488.77 are hereby amended and reenacted          |
| 10 | and R.S. 13:2005(D) and (E) and 2013 are hereby enacted to read as follows:              |
| 11 | §2005. Morgan City   |
| 12 | * * *  |
| 13 | D. Thirty percent of the funds collected by the city court of Morgan City                |
| 14 | pursuant to the provisions of R.S. 15:168(B) shall be deposited into a special fund      |
| 15 | created for this purpose. The fund shall be referred to as the Morgan City Indigent      |
| 16 | Defender Fund.   |
| 17 | E. The Morgan City Indigent Defender Fund Board shall manage and                         |
| 18 | oversee funds remitted to the Morgan City Indigent Defender Fund and shall consist       |
| 19 | of three members residing in the Morgan City Court district and shall be composed        |
| 20 | of the following:  |
| 21 | (1) One member appointed by the city council of Morgan City.                             |
| 22 | (2) One member appointed by the St. Mary Parish Council.                                 |

**ENROLLED** 

**ACT No. 638** 

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

| 1  | (3) One member appointed by the legislative delegation from nominees from                  |
|----|--|
| 2  | the Louis A. Martinet Legal Society.   |
| 3  | §2005.1. New Iberia  |
| 4  | $\underline{A}$ . Fines, forfeitures and penalties imposed in criminal prosecutions by the |
| 5  | city court of New Iberia for city violations shall be paid into the city treasury of the   |
| 6  | city of New Iberia; fines, forfeitures and penalties under state statutes shall be paid    |
| 7  | into the city treasury of the city of New Iberia. Costs assessed in criminal matters by    |
| 8  | the city court of New Iberia shall be disposed of and used as is provided by R.S.          |
| 9  | 13:1899.   |
| 10 | B. Notwithstanding any other provision of this Section to the contrary, thirty             |
| 11 | percent of the funds collected by the city court of New Iberia pursuant to the             |
| 12 | provisions of R.S. 15:168(B) shall be deposited into a special fund created for this       |
| 13 | purpose. The fund shall be referred to as the New Iberia Indigent Defender Fund.           |
| 14 | C. The New Iberia Indigent Defender Fund Board shall manage and oversee                    |
| 15 | funds remitted to the New Iberia Indigent Defender Fund and shall consist of three         |
| 16 | members residing in the New Iberia City Court district and shall be composed of the        |
| 17 | following:   |
| 18 | (1) One member appointed by the city council of New Iberia.                                |
| 19 | (2) One member appointed by the Iberia Parish Council.                                     |
| 20 | (3) One member appointed by the legislative delegation from nominees from                  |
| 21 | the Louis A. Martinet Legal Society.   |
| 22 | * * *  |
| 23 | <u>§2013. Jeanerette</u>   |
| 24 | A. Thirty percent of the funds collected by the city court of Jeanerette                   |
| 25 | pursuant to the provisions of R.S. 15:168(B) shall be deposited into a special fund        |
| 26 | created for this purpose. The fund shall be referred to as the Jeanerette Indigent         |
| 27 | Defender Fund.   |
| 28 | B. The Jeanerette Indigent Defender Fund Board shall manage and oversee                    |
| 29 | funds remitted to the Jeanerette Indigent Defender Fund and shall consist of three         |

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| 1  | members residing in the Jeanerette City Court district and shall be composed of the             |
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| 2  | following:  |
| 3  | (1) One member appointed by the city council of Jeanerette.                                     |
| 4  | (2) One member appointed by the Iberia Parish Council.  |
| 5  | (3) One member appointed by the legislative delegation from nominees from                       |
| 6  | the Louis A. Martinet Legal Society.  |
| 7  | * * *   |
| 8  | §2488.7. Collection of fines, forfeitures, penalties and costs                                  |
| 9  | <u>A.</u> The city judge or any officer of the city court as may be designated by the           |
| 10 | city judge, shall collect all fines, forfeitures, penalties and costs, and all funds so         |
| 11 | collected, excluding costs, shall be paid into the town treasury of the town of                 |
| 12 | Franklin when the prosecution is on behalf of the town, and into the parish treasury            |
| 13 | when the prosecution is on behalf of the state or the parish.                                   |
| 14 | B. Notwithstanding any other provision of this Section to the contrary, thirty                  |
| 15 | percent of the funds collected by the city court of Franklin pursuant to the provisions         |
| 16 | of R.S. 15:168(B) may be deposited into a special fund created for this purpose. The            |
| 17 | fund shall be referred to as the Franklin Indigent Defender Fund.                               |
| 18 | C. The Franklin Indigent Defender Fund Board shall manage and oversee                           |
| 19 | funds remitted to the Franklin Indigent Defender Fund and shall consist of three                |
| 20 | members residing in the Franklin City Court district and shall be composed of the               |
| 21 | following:  |
| 22 | (1) One member appointed by the city council of Franklin.                                       |
| 23 | (2) One member appointed by the St. Mary Parish Council.  |
| 24 | (3) One member appointed by the legislative delegation from nominees from                       |
| 25 | the Louis A. Martinet Legal Society.  |
| 26 | * * *   |
| 27 | §2488.77. Collection of fines, forfeitures, penalties, and costs                                |
| 28 | $\underline{A}$ . The city judge, or any other officer of the city court designated by the city |
| 29 | judge, shall collect all fines, forfeitures, penalties, and costs, and all funds so             |
| 30 | collected, excluding costs, shall be paid into the town treasury of the town of Breaux          |

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#### **ENROLLED**

| 1  | Bridge when the prosecution is on behalf of the town, and into the parish treasury of |
|----|---|
| 2  | the St. Martin Parish police jury general fund when the prosecution is on behalf of   |
| 3  | the state or the parish.  |
| 4  | B. Notwithstanding any other provision of this Section to the contrary, thirty        |
| 5  | percent of the funds collected by the city court of Breaux Bridge pursuant to the     |
| 6  | provisions of R.S. 15:168(B) shall be deposited into a special fund created for this  |
| 7  | purpose. The fund shall be referred to as the Breaux Bridge Indigent Defender Fund.   |
| 8  | C. The Breaux Bridge Indigent Defender Fund Board shall manage and                    |
| 9  | oversee funds remitted to the Breaux Bridge Indigent Defender Fund and shall          |
| 10 | consist of three members residing in the Breaux Bridge City Court district and shall  |
| 11 | be composed of the following:   |
| 12 | (1) One member appointed by the city council of Breaux Bridge.                        |
| 13 | (2) One member appointed by the St. Martin Parish Council.                            |
| 14 | (3) One member appointed by the legislative delegation from nominees from             |
| 15 | the Louis A. Martinet Legal Society.  |

# SPEAKER OF THE HOUSE OF REPRESENTATIVES

## PRESIDENT OF THE SENATE

## GOVERNOR OF THE STATE OF LOUISIANA

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