

2018 Regular Session

SENATE BILL NO. 125

BY SENATOR PERRY

COURTS. Provides relative to the civil fee account of certain city courts. (8/1/18)

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AN ACT

To amend and reenact R.S. 13:2104, relative to the city courts of Abbeville, Kaplan, Crowley, Eunice, Rayne, and Lafayette; to provide relative to civil fee accounts; to authorize the annual transfer of interest earned on the civil fee account to the general operational fund of certain city courts; to authorize under certain conditions the transfer of certain funds in the civil fee account to the general operational fund of certain city courts; to provide for the obligation of certain courts regarding unclaimed property claims; to provide for applicability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:2104 is hereby amended and reenacted to read as follows:

§2104. ~~Eunice~~ **Miscellaneous city courts; surplus in civil fee account; transfer of funds**

~~In the instance in which a surplus of filing fees and costs has accumulated in the Eunice City Court civil fee account and the surplus has remained unclaimed for a period of five years or more, the judge of the court may transfer the amount of the surplus to the general operational fund of the court. This Section shall not affect the~~

1 payment of civil fees to which the judge is entitled pursuant to R.S. 13:1874(A).

2 A. Notwithstanding any provision of law to the contrary, interest earned
3 on the civil fee accounts of the city courts of Abbeville, Kaplan, Crowley,
4 Eunice, Rayne, or Lafayette may be transferred annually by the judges to the
5 general operational fund of the court.

6 B. Notwithstanding any provision of law to the contrary, if a surplus of
7 filing fees and costs or unclaimed fees and costs have remained unclaimed for
8 a period of three years or more in the civil fee account of the city courts
9 provided in Subsection A of this Section, the judges of such courts may transfer
10 the amount of the surplus or unclaimed fees and costs to the general operational
11 fund of the court.

12 C. The provisions of this Section shall not affect any claim or right
13 granted to a claimant by the provisions of the Uniform Unclaimed Property Act,
14 R.S. 9:151 et seq. Each city court shall remain liable to the full amount of any
15 viable claim for unclaimed property in accordance with any other provision of
16 law.

17 D. The provisions of this Section shall not affect the payment of civil fees
18 to which a judge is entitled pursuant to R.S. 13:1874.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ashley E. Menou.

DIGEST

SB 125 Original

2018 Regular Session

Perry

Present law provides that the Eunice City Court may transfer any surplus in its civil fee account to the general operational fund of the court if the surplus has remained unclaimed for five years or more.

Proposed law deletes present law.

Proposed law provides that the judges of the city courts of Abbeville, Kaplan, Crowley, Eunice, Rayne, and Lafayette may transfer annually the interest earned on the civil fee account to the general operational fund of the court.

Proposed law provides that a surplus of fees and costs or unclaimed fees and costs in the civil fee account of the city courts of Abbeville, Kaplan, Crowley, Eunice, Rayne, and Lafayette that have remained unclaimed for three years or more may be transferred to the general operational fund of the respective city court.

Proposed law provides that the provisions of proposed law shall not affect any claim or right pursuant to the Uniform Unclaimed Property Act and each court shall remain liable for the full amount of any viable claim for unclaimed property.

Proposed law provides that the provisions of proposed law shall not affect the payment of civil fees to which a city court judge is entitled pursuant to present law.

Effective August 1, 2018.

(Amends R.S. 13:2104)