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HOUSE FLOOR AMENDMENTS

2019 Regular Session

Amendments proposed by Representative Marino to Engrossed House Bill No. 611 by Representative Magee

1 AMENDMENT NO. 1

2 On page 1, line 6, after "fine;" and before "to delay" insert the following:

3 "to authorize the court to grant an extension of time to pay the fine; to
4 authorize the court to order the performance of community service in lieu of
5 payment of the fine; to provide relative to the effectiveness of changes made
6 to Code of Criminal Procedure Article 885.1 by Act No. 260 of the 2017
7 Regular Session of the Legislature;"

8 AMENDMENT NO. 2

9 On page 2, delete lines 5 through 29 in their entirety and insert the following:

10 "A. When a fine is levied against a person convicted of any criminal
11 offense, including any violation of the Louisiana Highway Regulatory Act
12 or any municipal or parish ordinance regulating traffic, ~~in any municipality~~
13 ~~or in any parish~~ and the court grants the defendant ~~is granted~~ an extension of
14 time to pay the fine, if at the expiration of the extended period granted by the
15 court, the defendant shows that he is financially unable to pay the fine, the
16 judge of the court having jurisdiction ~~may order~~ shall grant the person an
17 extension of time, not to exceed one hundred eighty days, in which to pay the
18 fine, or offer the person, in lieu of paying the fine, the alternative of
19 performing community service as set by the judge.

20 B. If, at the expiration of the one-hundred-eighty-day period granted
21 by the judge pursuant to Paragraph A of this Article, the judge determines
22 that the defendant has either willfully not paid the fine or has not performed
23 the community service, the judge may do either of the following:

24 (1) Order the person's driver's license to be surrendered to the sheriff
25 or official of the court collecting fines, and for a period of time not to exceed
26 one hundred eighty days. If, after expiration of one hundred eighty days, the
27 defendant has not paid the fine, the sheriff or official of the court designated
28 to collect fines shall forward the license to the Department of Public Safety
29 and Corrections.

30 (2) Grant the person an extension of time to either pay the fine or
31 perform the community service.

32 ~~B. Upon receipt of a surrendered driver's license, the sheriff or court~~
33 ~~official responsible for collection of such fines shall issue a temporary permit~~
34 ~~for a period not to exceed one hundred eighty days or for a period of time set~~
35 ~~forth by the judge having jurisdiction. The temporary permits, the procedure~~
36 ~~for distributing such permits, and the rules and regulations associated with~~
37 ~~such permits shall be the same as devised by the Department of Public Safety~~
38 ~~and Corrections as required by R.S. 32:411.1.~~

39 ~~C. If, after expiration of one hundred eighty days, the defendant has~~
40 ~~not paid the fine, the sheriff or official of the court designated to collect fines~~
41 ~~shall forward the license to the Department of Public Safety and Corrections.~~
42 ~~Upon~~ If the person's license is surrendered pursuant to Paragraph (B)(1) of

1 this Article, upon receipt of the defendant's surrendered driver's license, the
2 department shall suspend the driver's license of the defendant. The
3 suspension shall begin when the department receives written notification
4 from the court, and the department shall send immediate written notification
5 to the defendant informing him of the suspension of driving privileges.
6 D. The department shall not reinstate, return, reissue, or renew a
7 driver's license in its possession pursuant to this Article until payment of the
8 fine and any additional administrative cost, fee, or penalty required by the
9 judge having the jurisdiction and any other cost, fee, or penalty required by
10 the department in accordance with R.S. 32:414(H) or other applicable cost,
11 fee, or penalty provision."

12 AMENDMENT NO. 3

13 Delete page 3 in its entirety

14 AMENDMENT NO. 4

15 On page 4, delete lines 1 and 2 in their entirety

16 AMENDMENT NO. 5

17 On page 4, line 10, change "in" to "by"