
DIGEST

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HB 393 Original

2022 Regular Session

Landry

Abstract: Increases the maximum penalty that may be imposed for a violation of a parish or municipal ordinance.

Present law provides that the maximum penalty that may be imposed for the violation of a parish ordinance is a \$500 fine and imprisonment of 30 days in parish jail. Authorizes the imposition of up to 100 hours of community service, in addition to or in lieu of penalties authorized by existing law, for a violation of a parish ordinance.

Proposed law instead provides that the maximum penalty that may be imposed for the violation of any parish ordinance is a fine of \$950, except as otherwise provided for by law. Retains the 30 day imprisonment provision and the authority granted to the parish to impose community service or additional civil penalties. Also retains higher penalties for violations of certain ordinances. Limits the maximum penalty imposed by a parish governing authority for a violation of a criminal ordinance to the maximum penalty authorized for a comparable criminal offense pursuant to present law (Title 14 of the La. Revised Statutes of 1950).

Present law provides that the maximum penalty which may be imposed for the violation of any ordinance enacted by the governing authority of the city of New Orleans is a fine of \$500 for a first offense violation and \$1,000 for the second or any subsequent offense. Provides that the maximum penalties do not apply to penalties imposed for non-moving or parking violations or other traffic violations, including those captured by an automated traffic enforcement system.

Proposed law repeals present law and provides instead that the statewide maximum penalty which may be imposed for the violation of municipal ordinances is a fine of \$950, unless a higher maximum penalty is otherwise authorized by law. Provides that the maximum penalties do not apply to penalties imposed for non-moving or parking violations or other traffic violations, including those captured by an automated traffic enforcement system. Limits the maximum penalty imposed by a municipal governing authority for a violation of a criminal ordinance to the maximum penalty authorized for a comparable criminal offense pursuant to present law (Title 14 of the La. Revised Statutes of 1950).

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

(Amends R.S. 33:1243(A)(1); Adds R.S. 33:1243(D) and 1377; Repeals R.S. 33:1375)