

2025 Regular Session

HOUSE BILL NO. 123

BY REPRESENTATIVE CARLSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COURTS/COURT COSTS: Provides relative to deferral of costs and fees associated with electronic filing requirements

1 AN ACT

2 To amend and reenact R.S. 13:4521(B) and to enact R.S. 13:4521(A)(6), relative to deferral
3 of costs and fees associated with electronic filing requirements; to provide for
4 definitions; to provide relative to periods within which to pay court costs; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:4521(B) is hereby amended and reenacted and R.S. 13:4521(A)(6)
8 is hereby enacted to read as follows:

9 §4521. State and its subdivisions; temporary deferral of court costs; exceptions

10 A.

11 * * *

12 (6) As the term is used in this Section, "court costs" include costs, user fees,
13 and recording fees charged by each clerk of court or third party vendor for electronic
14 filing of civil and criminal pleadings authorized by R.S. 13:754, fees for electronic
15 filing of documents authorized by R.S. 13:841 and Code of Civil Procedure Article
16 253(B), and related convenience, transaction, or service fees for electronic filings.

17 B. Except when the law imposes personal responsibility for costs on the
18 agent, officers, or employees, it shall be the responsibility of the governmental
19 entities who temporarily defer costs as set forth in this Section to pay any deferred
20 costs assessed against them or their agents, officers, or employees, ~~within thirty days~~

1 of the judgment becoming final or to assist in the collection of court costs due by the
 2 opposing litigants by requesting the court to tax costs in accordance with the
 3 provisions of Article 1920 of the Code of Civil Procedure by requesting that the
 4 court include the cost assessment in a judgment dismissing a claim against the
 5 governmental entity or any agent, officer, or employee thereof. When a judgment
 6 is rendered against the state, political subdivision, or agent, officer, or employee
 7 thereof, the costs shall not be payable to the clerk of court or third-party vendor until
 8 the judgment becomes final and definitive under the provisions of Articles 2166 and
 9 2167 of the Code of Civil Procedure or otherwise nonappealable or nonreviewable,
 10 and until all issues in the judicial proceeding are adjudicated. The state, political
 11 subdivision, or agent, officer, or employee thereof shall withhold any court costs due
 12 by the opposing litigants from any settlement payment made to the parties and shall
 13 forward such costs to the clerk of court.

14 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 123 Reengrossed 2025 Regular Session Carlson

Abstract: Provides for the time within which governmental entities are required to pay court costs.

Present law provides that the state, any political subdivision, and any agent, officer, or employee of any such governmental entity when acting within the scope and authority of such employment or when discharging his official duties may temporarily defer court costs.

Proposed law provides that "court costs" include costs, user fees, and recording fees charged by each clerk of court or third-party vendor for electronic filing of civil and criminal pleadings, fees for electronic filing of documents, and related convenience, transaction, or service fees for electronic filings.

Present law provides that it shall be the responsibility of the governmental entities who temporarily defer costs as set forth in present law to pay any deferred costs assessed against them or their agents, officers, or employees within 30 days of the judgment becoming final or to assist in the collection of court costs due by the opposing litigants by requesting the court to tax costs in accordance with present law.

Proposed law removes the 30-day period within which to pay the deferred court costs and further provides that when a judgment is rendered against the state, political subdivision, or agent, officer, or employee thereof, the costs shall not be payable to the clerk of court or

third-party vendor until the judgment becomes final and definitive under the provisions of present law or is otherwise nonappealable or nonreviewable, and until all issues in the judicial proceeding are adjudicated.

(Amends R.S. 13:4521(B); Adds R.S. 13:4521(A)(6))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Provide that costs charged by third-party vendors are included in the definition of "court costs".

The House Floor Amendments to the engrossed bill:

1. Provide that court costs shall not be payable to a third-party vendor until the judgment becomes final and definitive.