

Regular Session, 2011

HOUSE BILL NO. 522

BY REPRESENTATIVE ROSALIND JONES

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

JUDGES: Provides with respect to the submission of court cost proposals to the Judicial Council of the Supreme Court of Louisiana

1 AN ACT

2 To amend and reenact R.S. 13:62(A)(2) and (B) and to enact R.S. 13:62(C), relative to the
3 Judicial Council of the Supreme Court of Louisiana; to provide deadlines for
4 submission of proposals regarding new or increased court costs to the council; to
5 provide deadlines for the council to provide recommendations to the legislature; to
6 provide for applicability; to provide for definitions; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 13:62(A)(2) and (B) are hereby amended and reenacted and R.S.
10 13:62(C) is hereby enacted to read as follows:

11 §62. Court costs and fees; submission to Judicial Council; recommendation

12 A. As used in this Section, the following words have the meanings ascribed
13 to them unless the context requires otherwise:

14 * * *

15 (2) "Court of limited or general jurisdiction" means district court, family
16 court, juvenile court, city court, parish court, municipal court, ~~mayor's court, justice~~
17 ~~of the peace court~~, and traffic court.

18 B. No law to provide for a new court cost or fee or to increase an existing
19 court cost or fee shall be enacted unless first submitted to the Judicial Council for
20 review and recommendation to the legislature as to whether the court cost or fee is

1 reasonably related to the operation of the courts or court system. A copy of the
 2 proposal for a new or increased court cost or fee shall be submitted to the Judicial
 3 Council no later than January fifteenth of the calendar year in which the proposal is
 4 intended to be introduced in the legislature, and a copy shall be provided to the
 5 legislature, through the clerk of the House of Representatives and the secretary of the
 6 Senate, at the time it is submitted to the Judicial Council for review. The Judicial
 7 Council shall notify the legislature of its recommendation, through the clerk of the
 8 House of Representatives and the secretary of the Senate, by March fifteenth of that
 9 same year.

10 C. The provisions of this Section shall apply only to court costs or fees, or
 11 increases to an existing court cost or fee to be charged or collected by the supreme
 12 court, courts of appeal, district courts, city courts, parish courts, juvenile courts,
 13 family courts, traffic courts or municipal courts. The provisions of this Section shall
 14 not apply to mayor's courts, magistrate courts, or justice of the peace courts.

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)]

Rosalind Jones

HB No. 522

Abstract: Provides deadlines for submission of court cost proposals to the Judicial Council and provides that the review process for court costs and fees shall not apply to mayor's courts, magistrate courts, or justice of the peace courts.

Present law provides that no law to provide for a new court cost or fee or to increase an existing court cost or fee shall be enacted unless first submitted to the Judicial Council for review and recommendation to the legislature.

Proposed law provides that the request shall be submitted to the council by January 15th of the year in which the proposal is intended to be introduced in the legislature, and requires the council to notify the legislature of its recommendation as to whether the court cost or fee is reasonably related to the operation of the courts or court system, through the clerk of the House of Representatives and the secretary of the Senate, by March 15 of that same year.

Further provides that proposed law shall apply only to court costs or fees, or increases to an existing court cost or fee to be charged or collected by the supreme court, courts of appeal, district courts, city courts, parish courts, juvenile courts, family courts, traffic courts or municipal courts. The provisions shall not apply to mayor's courts, magistrate courts, or justice of the peace courts.

(Amends R.S. 13:62(A)(2) and (B); Adds R.S. 13:62(C))