
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ducharme.

DIGEST

Martiny (SB 150)

Present law allows the sheriff and the district attorney to each charge a processing fee of \$50 for the expungement of any record of arrest when ordered to do so by the court.

Proposed law provides that the clerk of court shall collect the sheriff's and district attorney's processing fee at the time the motion for expungement is filed. If the court finds the mover is entitled to the relief sought, the clerk shall direct the collected processing fee to the sheriff and the district attorney and the processing fee amount shall be deposited immediately upon receipt to the Sheriff Fund and the District Attorney Fund. If the court does not grant such relief, the clerk of court shall return the processing fee to the moving party.

Effective August 15, 2011.

(Amends R.S. 44:9(A)(4))