Regular Session, 2011

HOUSE BILL NO. 121

BY REPRESENTATIVE WOOTON

CORRECTIONS: Increases probation and parole fees by ten dollars

AN ACT

To amend and reenact Code of Criminal Procedure Article 895.1(C) and R.S. 15:574.4.2(A)(2)(o), relative to fees for probation and parole supervision; to provide for an increase in the fees which may be charged to defray the costs of probation and parole supervision; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 895.1(C) is hereby amended and reenacted to read as follows:

Art. 895.1. Probation; restitution; judgment for restitution; fees

* * *

C. When the court places the defendant on supervised probation, it shall order as a condition of probation a monthly fee of not less than ~~fifty~~ sixty nor more than ~~one hundred~~ one hundred ten dollars payable to the Department of Public Safety and Corrections or such other probation office, agency, or officer as designated by the court, to defray the cost of supervision. If the probation supervision services are rendered by an agency other than the department, the fee may be ordered payable to that agency. These fees are only to supplement the level of funds that would ordinarily be available from regular state appropriations or any other source of funding.

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CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

Section 2. R.S. 15:574.4.2(A)(2)(o) is hereby amended and reenacted to read as follows:

§574.4.2. Decisions of Board of Parole; nature, order, and conditions of parole; rules of conduct; infectious disease testing

A.

* * *

(2) The board may also require, either at the time of his release on parole or at any time while he remains on parole, that he conform to any of the following conditions of parole which are appropriate to the circumstances of the particular case:

* * *

(o) Defray the cost, or any portion thereof, of his parole supervision by making monthly payments to the ~~Board of Parole in a sum and manner determined by the board,~~ Department of Public Safety and Corrections in an amount not to exceed sixty-three dollars based upon his ability to pay as determined by the Board of Parole.

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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)]

Wooton HB No. 121

Abstract: Provides for increased probation and parole supervision fees.

Present law provides for a monthly supervision fee of not less than $50 nor more than $100 when the court places the defendant on supervised probation. Provides that the fee is payable to DPS&C or such other probation office, agency, or officer as designated by the court, to defray the cost of supervision.

Proposed law retains present law and increases the monthly fee to not less than $60 nor more than $110.

Present law provides that, as a condition of parole, the Board of Parole may establish fees payable to the Board of Parole to defray the cost of supervision in an amount determined by the board based upon the offender's ability to pay.

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Proposed law changes present law to establish the fee as a monthly fee not to exceed $63 payable to DPS&C, and provides that the determination of the ability to pay is made by the Board of Parole.

(Amends C.Cr.P. Art. 895.1(C) and R.S. 15:574.4.2(A)(2)(o))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Provided that the parole supervision fee shall not exceed $63.

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