

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 150 By Senator Martiny

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

CLERKS OF COURT: Authorizes the collection of the expungement processing fee by the clerk of court. (8/15/11)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Removed references to the Sheriff Fund and the District Attorney Fund and provided that the fees collected shall be remitted in equal proportions to the office of the district attorney and the sheriff's general fund.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

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

Proposed law provides that the clerk of court shall collect the 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 remitted immediately upon receipt in equal proportions to the office of the district attorney and the sheriff's general fund.

Proposed law provides that if the court does not grant the 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))

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