

Regular Session, 2012

HOUSE BILL NO. 1010

BY REPRESENTATIVES ARNOLD, EDWARDS, AND MACK

JUDGES: Provides relative to furniture and equipment purchased or owned by the courts of appeal and the district courts

1 AN ACT

2 To amend and reenact R.S. 13:392 and to enact R.S. 13:352(D), (E), and (F), and 588,
3 relative to furniture and equipment purchased or owned by the courts of appeal and
4 each judicial district court; to require the title of all furniture and equipment
5 purchased and in possession of the courts of appeal to vest in the purchasing court;
6 to require an itemized statement of furniture and equipment requested for purchase;
7 to authorize certain persons to complete the sale of furniture or equipment; to
8 authorize any judge to purchase furniture and equipment with nonpublic funds upon
9 termination of office; to provide for the disposition of the sale proceeds; and to
10 provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 13:392 is hereby amended and reenacted and R.S. 13:352(D), (E),
13 and (F) and 588 are hereby enacted to read as follows:

14 §352. Fees; bond premiums; equipment, supplies, and other expenses;
15 reimbursement of expenses of judges of courts of appeal

16 * * *

17 D. Title to all furniture and equipment purchased pursuant to the provisions
18 of this Section shall vest in the purchasing court.

19 E. Notwithstanding the provisions of Part XI of Chapter 1 of Title 39 of the
20 Louisiana Revised Statutes of 1950, upon termination of office, each judge having
21 possession of equipment or furniture purchased with the fees provided in this Section

1 §588. Authority of judges to purchase furniture and equipment
2 Notwithstanding the provisions of Part XI of Chapter 1 of Title 39 of the
3 Louisiana Revised Statutes of 1950, upon termination of office, each judge having
4 possession of equipment or furniture purchased by the judicial district court, may
5 purchase such property with nonpublic funds at a cost of the standard depreciated
6 value of the property. The presiding judge, or any judge, by direction of the court,
7 is authorized to complete such sale and the proceeds of the sales are to be deposited
8 in the account from which the funds were expended to purchase the furniture and
9 equipment.

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)]

Arnold

HB No. 1010

Abstract: Authorizes court of appeal and district court judges to purchase furniture and equipment upon termination of office and provides for the disposition of the sale proceeds.

Present law authorizes the clerk of each court of appeal to collect certain fees for filings and copies and to allocate those collected fees for payment of premiums on fidelity bonds and to retain the balance on those fees for expenses related to the operation of the court and the clerk's office.

Present law provides that after costs of operations and premiums on fidelity bonds are paid that any remaining balance will be expended to reimburse the judges of the courts of appeal for expenses related to their office which are incurred while on official duty, payable out of the self-generated funds in an amount established annually by the Conference of the Court of Appeal Judges, subject to final approval by the Supreme Court of La.

Present law authorizes the judges of the courts of appeal to draw a monthly warrant on the state for 1/12 of the annual appropriation as made by the legislature for the expense and operation of the court.

Proposed law retains present law.

Proposed law requires title to all furniture and equipment purchased or in the possession of the courts of appeal to be vested with the respective court of appeal.

Proposed law requires the purchase of furniture and equipment to be purchased by the presiding judge or any judge, by the direction of the court, in accordance with policies of the Judicial Budgetary Control Board and the presentation of itemized statements from judges setting forth in detail the items to be purchased.

Proposed law authorizes each court of appeal judge or judicial district court judge, upon termination of office, to purchase with nonpublic funds any furniture or equipment in his possession at the depreciated value.

Proposed law authorizes, at the discretion of the court, the clerk, presiding judge, or any judge of the court of appeals to complete the sale and retain the proceeds to be expended in accordance with the provisions of present law regarding the use of fees collected by the clerk of each court of appeal.

Proposed law requires the proceeds from the sale of furniture or equipment to a judicial district court judge to be deposited in the account from which the funds were expended to purchase the furniture or equipment.

(Amends R.S. 13:392; Adds R.S. 13:352(D), (E), and (F) and 588)

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Added a provision authorizing each judicial district court judge to purchase the equipment or furniture in his possession with nonpublic funds at a standard depreciated value of the property and to deposit the proceeds into the account from which the funds were expended to purchase the furniture.