

2015 Regular Session

HOUSE BILL NO. 75

BY REPRESENTATIVE SEABAUGH

COURTS/COURT REPORTERS: Provides for changes in the amount collected by the clerk of court in the 1<sup>st</sup> Judicial District for the court reporters' fund

## 1 AN ACT

2 To amend and reenact R.S. 13:962(I), relative to court reporters; to authorize an increase in  
3 certain court costs collected by the clerk of court for the First Judicial District Court;  
4 to provide for the removal of certain exceptions relative to the costs collected in  
5 certain proceedings; to provide for an effective date; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:962(I) is hereby amended and reenacted to read as follows:

9 §962. Court reporters for the ~~first judicial district~~ First Judicial District

10 \* \* \*

11 I. The clerk of court of the First Judicial District Court shall collect from any  
12 person filing any type of civil suit or proceeding, intervention, third party demand,  
13 or reconventional demand the following amounts, which shall be maintained by him  
14 in a separate account designated as the court reporters' fund. The clerk of court shall  
15 collect in all suits or proceedings a sum to be set by a majority of the judges not to  
16 exceed ~~fifty~~ seventy-five dollars, with the exception of ~~succession proceedings and~~  
17 ~~foreclosure proceedings by executory process, in which event the amount to be~~  
18 ~~collected shall not exceed thirty-five dollars; and with the further exception of~~  
19 ~~tutorships, emancipations, mandamus suits to cancel mortgages, and money claims~~  
20 of less than one thousand dollars, in which event the amount to be collected shall not  
21 exceed ~~thirty-five~~ fifty dollars, ~~said deposits~~ to be taxed as costs. Nothing in this

1 Subsection shall be construed to affect the rights of any litigant proceeding under  
2 ~~Article 5181 et seq. of the Louisiana~~ Code of Civil Procedure Article 5181 et seq.

3 \* \* \*

4 Section 2. This Act shall become effective upon signature by the governor or, if not  
5 signed by the governor, upon expiration of the time for bills to become law without signature  
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
8 effective on the day following such approval.

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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)]

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HB 75 Engrossed

2015 Regular Session

Seabaugh

**Abstract:** Authorizes an increase in court costs collected by the clerk of court of the 1st Judicial District Court.

Present law requires the clerk of court for the 1st JDC to collect court costs that are to be set by a majority of the judges, not to exceed \$50 for certain pleadings and further requires such funds to be deposited in the court reporter's fund.

Proposed law changes the maximum amount authorized for collection from \$50 to \$75.

Present law provides an exception, which requires the clerk to collect an amount not to exceed \$35 for succession proceedings, foreclosure proceedings by executory process, tutorships, emancipations, and mandamus suits to cancel mortgages.

Proposed law deletes the present law exception.

Present law requires the clerk to collect an amount not to exceed \$35 for money claims of less than one thousand dollars.

Proposed law changes the maximum amount authorized for collection from \$35 to \$50.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 13:962(I))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Add an effective date upon signature of the governor or lapse of time for gubernatorial action.