

2016 Regular Session

HOUSE BILL NO. 659

BY REPRESENTATIVE JAMES

COURTS: Provides with respect to court costs

1 AN ACT

2 To amend and reenact R.S. 13:1898(C) and to enact R.S. 13:1898(D), relative to the
3 collection of certain fees; to provide for a maximum collection fee on unpaid fines,
4 forfeitures, penalties, or costs; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:1898(C) is hereby amended and reenacted and R.S. 13:1898(D)
7 is hereby enacted to read as follows:

8 §1898. Collection and disposition of fines, forfeitures, penalties, and costs in city
9 court

10 * * *

11 C. The clerk of the city court or the marshal may accept payment by credit
12 card or electronic check for all fines, forfeitures, penalties, and costs. The clerk of
13 the city court or the marshal shall collect a fee for processing the payments in an
14 amount that is reasonably related to the expense incurred by the clerk or marshal in
15 processing the payment by credit card, not to exceed five percent of the amount of
16 taxes and any penalties or interest being paid. The fee shall be in addition to the
17 amount of fines, forfeitures, penalties, or costs.

18 D. If the fines, forfeitures, penalties, or costs are not paid when due, a private
19 collection agency may charge a collection fee not to exceed twenty-five percent of
20 the balance owed.

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)]

HB 659 Engrossed

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Abstract: Increases the maximum fee that can be collected by a collection agency for the payment of certain overdue fines, forfeitures, penalties, and costs.

Present law authorizes the clerk of a city court, a marshal, or a private collection agency as authorized by contract to collect all fines, forfeitures, penalties, and costs, and provides that all funds so collected, excluding costs, shall be paid into the city treasury or parish treasury, depending on whose behalf the money is being collected.

Present law authorizes the clerk of the city court or the marshal to accept payment by credit card or electronic check for all fines, forfeitures, penalties, and costs, and authorizes the collection of a processing fee not to exceed 5% of the amount of taxes and any penalties or interest being paid.

Proposed law retains present law.

Proposed law authorizes a private collection agency to charge a collection fee on unpaid fines, forfeitures, penalties, or costs not to exceed 25% of the balance owed.

(Amends R.S. 13:1898(C); Adds R.S. 13:1898(D))

Summary of Amendments Adopted by House

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

1. Removes proposed law provisions regarding the 25% processing fee on fines, forfeitures, penalties, or costs paid by credit card or electronic check, and reinstates the present law 5% fee.
2. Provides that if fines, forfeitures, penalties, or costs are overdue, a private collection agency may charge a collection fee not to exceed 25% of the balance owed.