

2017 Regular Session

HOUSE BILL NO. 327

BY REPRESENTATIVES SCHEXNAYDER, BACALA, AND BERTHELOT

1 AN ACT

2 To enact R.S. 13:996.69, relative to a courthouse building fund in Ascension Parish; to
3 provide relative to the Twenty-Third Judicial District Court and the Parish Court for
4 the Parish of Ascension; to establish an Ascension Parish Courthouse Building Fund;
5 to provide for additional charges for initial filing and pleadings filed in civil matters;
6 to provide for dedication, purpose, and disbursement of such funds; to provide for
7 a reduction of charges in certain cases; to authorize cooperative endeavor
8 agreements; to provide for a contingent effective date; and to provide for related
9 matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 13:996.69 is hereby enacted to read as follows:

12 §996.69. Ascension Parish Courthouse Building Fund; Twenty-Third Judicial
13 District Court and the parish court of Ascension Parish

14 A.(1) Subject to the provisions of the Code of Civil Procedure Article 5181
15 et seq., in all cases over which the Twenty-Third Judicial District Court for the parish
16 of Ascension or the Parish Court for the Parish of Ascension has jurisdiction, the
17 judges of the Twenty-Third Judicial District Court, acting en banc, the judge for the
18 Parish Court for the Parish of Ascension, and the Ascension Parish Clerk of Court
19 are hereby authorized to impose and collect the following costs of court and
20 additional filing charges:

21 (a) A filing charge of one hundred fifty dollars per filing which shall be paid
22 to the Ascension Parish Clerk of Court when the initial filing of a civil suit is made.

23 (b) A filing charge of thirty dollars upon the filing of each additional
24 pleading in a civil matter which shall be paid to the Ascension Parish Clerk of Court

1 when such filing is made. For purposes of this Subparagraph, additional pleadings
2 shall include but are not limited to petitions, motions, orders, affidavits, judgments,
3 witness lists, exhibit lists, memorandums, sheriff returns, notices, interrogatories,
4 stipulations, exhibits, discovery requests, written reasons for judgment, exceptions,
5 rules, correspondence, citations, evidence, dismissals, depositions, writs, appeals,
6 answers, and subpoenas.

7 (2) The charges provided in this Section shall apply to all civil filings in all
8 Ascension Parish courts and be in addition to other filing charges currently being
9 levied and collected by the Ascension Parish Clerk of Court for civil filings.

10 (3) All such filing charges shall be imposed by the judges of the Twenty-
11 Third Judicial District Court acting en banc and the judge for the Parish Court for the
12 Parish of Ascension.

13 B. The monies generated pursuant to the provisions of this Section which
14 represent additional civil suit filing charges shall be held by the Ascension Parish
15 Clerk of Court on behalf of the parish of Ascension and shall be remitted at least
16 monthly by the Ascension Parish Clerk of Court directly to the Department of
17 Finance for the parish of Ascension, and irrevocably deposited into the Ascension
18 Parish Courthouse Fund dedicated exclusively to the design, acquisition, furnishing,
19 construction, renovation, equipping, operation, and maintenance of a new Ascension
20 Parish courthouse, and to renovate or convert any existing courthouse building,
21 located in the parish of Ascension, and for the payment of any bonds or other
22 indebtedness on any such facilities.

23 C.(1) Subject to the limitations provided in this Section, the Ascension
24 Parish Council, as the governing authority of the parish of Ascension, shall have
25 ownership and control over the Ascension Parish Courthouse Fund, and shall have
26 the authority to pledge the Ascension Parish Courthouse Fund to bonds or other
27 instruments of indebtedness issued by or on behalf of the parish of Ascension. The
28 Ascension Parish Council shall have the authority to pay and disburse from the
29 Ascension Parish Courthouse Fund all amounts necessary to pay and discharge any
30 bonds or other instruments of indebtedness issued to pay for the construction of the

1 new Ascension Parish courthouse and the renovation or conversion of any existing
2 courthouse building.

3 (2) Any amounts in the Ascension Parish Courthouse Fund in addition to
4 those funds necessary to pay and discharge any bonds or other instruments of
5 indebtedness issued to pay for the construction of the new Ascension Parish
6 courthouse and the renovation or conversion of any existing courthouse building may
7 be expended for purposes of operating, maintaining, equipping, or furnishing the new
8 Ascension Parish courthouse, or for additional new construction or renovations to the
9 new Ascension Parish courthouse and the renovation or conversion of any existing
10 courthouse building, but such additional surplus funds may be expended only by
11 authority of the parish president of Ascension Parish, the chief judge of the Twenty-
12 Third Judicial District Court, the judge for the Parish Court for the Parish of
13 Ascension, the sheriff of Ascension Parish, and the Ascension Parish Clerk of Court,
14 by majority vote.

15 D. The judges of the Twenty-Third Judicial District Court, acting en banc,
16 along with the judge for the Parish Court for the Parish of Ascension, may, as
17 concurring by ordinance of the Ascension Parish Council, reduce the amount of filing
18 charges provided for in this Section if the balance of sums on deposit in the
19 Ascension Parish Courthouse Fund exceeds the requirements necessary for the new
20 Ascension Parish courthouse and the renovation or conversion of any existing
21 courthouse building, including but not limited to the payment of debt service on
22 bonds or other indebtedness incurred in connection with the Ascension Parish
23 courthouse. Once the bonds have matured or have otherwise been satisfied in full
24 and there is no other indebtedness outstanding to the Ascension Parish courthouse,
25 the judges of the Twenty-Third Judicial District Court, acting en banc, along with the
26 judge for the Parish Court for the Parish of Ascension, shall, as concurring by
27 ordinance of the Ascension Parish Council, reduce the amount of filing charges
28 provided for in this Section to an amount sufficient to provide for the continued
29 operation and maintenance of the Ascension Parish courthouse.

1 E. For all matters pertaining to the filing charges imposed by the provisions
2 of this Section, and those related to the Ascension Parish courthouse, the Ascension
3 Parish Clerk of Court, the sheriff of Ascension Parish, and the judges of the Twenty-
4 Third Judicial District Court, acting en banc, and the judge for the Parish Court for
5 the Parish of Ascension shall have the authority to enter into any cooperative
6 endeavor agreement with the parish of Ascension in conjunction with the design,
7 construction, renovation, equipping, furnishing, operation, and maintenance of the
8 new Ascension Parish courthouse.

9 Section 2. The imposition of court costs or fees as provided in this Act shall become
10 effective on the date of Judicial Council approval; no fees shall be collected without Judicial
11 Council approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____