

## RÉSUMÉ DIGEST

**ACT 313 (HB 288)**

**2021 Regular Session**

**Magee**

Existing law (C.Cr.P. Art. 875.1) relative to the financial obligations of criminal offenders was enacted by Act No. 260 of the 2017 R.S. with an effective date of Aug. 1, 2018. Subsequent Acts delayed the effective date of Act No. 260 to Aug. 1, 2021. (See Acts No. 137 and 668 of the 2018 R.S. and Act No. 253 of the 2019 R.S.). Act No. 668 of the 2018 R.S. amended the substance of existing law with an effective date of Aug. 1, 2019, which was not amended by the 2019 Act which delayed the effective date of Act No. 260 of the 2017 R.S. to Aug. 1, 2021.

New law retains existing law but removes the uncertainty created by the delayed effective dates of multiple prior Acts by moving the provisions of C.Cr.P. Art. 875.1 to a new Article, C.Cr.P. Art. 875.2, and repealing C.Cr.P. Art. 875.1.

Existing law (C.Cr.P. Art. 885.1) relative to the suspension of driving privileges for failure to pay criminal fines was amended by Act No. 260 of the 2017 R.S. and by Act No. 253 of the 2019 R.S.

Existing law (C.Cr.P. Art. 894.4) relative to the authority of the court to extend probation when the defendant is unable to pay fines, fees, or restitution was amended by Act No. 260 of the 2017 R.S. and by Act No. 668 of the 2018 R.S.

New law retains existing law and specifies that the provisions of Act No. 260 of the 2017 R.S. shall become effective on Aug. 1, 2022, except that the provisions of that Act that enacted C.Cr.P. Art. 875.1 and that amended and reenacted C.Cr.P. Arts. 885.1(A), (C), and (D) and 894.4 shall never become effective.

New law provides an effective date for certain provisions of Act No. 260 of the 2017 R.S. and provides that certain provisions shall never go into effect. New law recognizes that the provisions of Act No. 668 of the 2018 R.S. which amended and reenacted C.Cr.P. Art. 894.4 and which became effective on Aug. 1, 2019, are in effect, and that the provisions of Act No. 253 of the 2019 R.S. amending and reenacting C.Cr.P. Art. 885.1 and which became effective on Aug. 1, 2019, are in effect.

New law that enacts C.Cr.P. Art. 875.2 and that repeals C.Cr.P. Art. 875.1 shall become effective Aug. 1, 2022.

(Adds C.Cr.P. Art. 875.2; Repeals C.Cr.P. Art. 875.1)