AN ACT

To amend and reenact R.S. 33:1236(55)(a), relative to the powers of parish governing authorities; to provide for certain fees in St. Tammany and Washington parishes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:1236(55)(a) is hereby amended and reenacted to read as follows:

§1236. Powers of parish governing authorities

The police juries and other parish governing authorities shall have the following powers:

*          *          *

(55)(a) The governing authorities of the parishes of St. Tammany and Washington may enact ordinances requiring the clerk of court to impose, collect, and remit to the parish for operational expenses of the judicial system and its related agencies an additional charge, not exceeding fifteen dollars, for the registration and recordation of any document in the mortgage and conveyance records; and an additional charge, not exceeding fifteen dollars, for the filing and recordation of adoptions, successions, and any other new civil suits and written
motions for hearings filed in or with the clerk of court's office. No additional charge
shall be made for criminal court filings, civil court filings in forma pauperis, oaths
of office, U.C.C. filings, sheriff's commissions, marriage licenses, notary or
appearance bonds, or any other filing for which no filing fee is charged. The clerk
of court may retain five percent of such additional charge to defray costs associated
therewith. Additionally, the governing authorities of the parishes may enact
ordinances requiring the sheriff to impose, collect, and remit to the parish for
operational expenses of the respective judicial system and its related agencies such
additional charge, not exceeding five fifteen dollars, for each tax certificate issued
or filed by the sheriff of the parish. The charges authorized in this Subparagraph
shall be in addition to all other charges authorized by law.

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Section 2. In accordance with the provisions of R.S. 13:62, the increase in court costs
or fees as provided for in this Act shall become effective if and when the Judicial Council
provides a favorable recommendation in the Judicial Council 2023 Report to the Louisiana
Legislature.

The original instrument was prepared by Alan Miller. The following digest,
which does not constitute a part of the legislative instrument, was prepared
by James Benton.
Present law authorizes the governing authorities to enact ordinances requiring the sheriff to impose, collect, and remit to the parish for operational expenses of the respective judicial system and its related agencies such additional charge, not exceeding $5, for each tax certificate issued or filed by the sheriff of the parish.

Proposed law authorizes the governing authorities to increase the fee provided for in present law from $5 to $15.

Proposed law provides that the increase in court costs or fees as provided for in proposed law shall become effective if and when the Judicial Council provides a favorable recommendation in the Judicial Council 2023 Report to the Louisiana Legislature.

Effective August 1, 2022.

(Amends R.S. 33:1236(55)(a))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Local and Municipal Affairs to the original bill

1. Provides for an effective date of the increase in court costs or fees based on a favorable recommendation in the Judicial Council 2023 Report to the Louisiana Legislature.