



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: HB 126 HLS 17RS 683
Bill Text Version: REENGROSSED
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: May 10, 2017 3:37 PM Author: BACALA
Dept./Agy.: Sheriffs, Marshals, Constables, and Justices of the Peace
Subject: Garnishment Payments Analyst: Steven Kraemer

CIVIL/GARNISHMENT RE NO IMPACT LF RV See Note Page 1 of 1
Provides relative to payment of processing fee for certain garnishment proceedings

Purpose of Bill: This bill provides that constables for justices of the peace are entitled to a 6% fee for collecting money for execution of a writ of fieri facias, without either seizure or sale. In addition, this bill provides that garnishment judgments will be paid to the sheriff, marshal, or constable for processing prior to being paid to the seizing creditor.

Table with 7 columns: EXPENDITURES, 2017-18, 2018-19, 2019-20, 2020-21, 2021-22, 5 -YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

Table with 7 columns: REVENUES, 2017-18, 2018-19, 2019-20, 2020-21, 2021-22, 5 -YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure.

Based on information from the Louisiana Attorney General's Office, Union Parish Sheriff, Pineville City Marshal, Shreveport City Marshal, Louisiana City Marshal and City Constables Association, and Louisiana Justice of the Peace & Constables Association, this bill is not expected to impact the expenditures of sheriffs, marshals, or constables as it appears that this bill is putting the current practice for processing garnishments into law.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Based on information from the Louisiana Attorney General's Office and Louisiana Justice of the Peace & Constables Association, this bill is not expected to impact the revenues of constables as it appears that this bill is putting a fee that is already being collected by constables into law.

Senate Dual Referral Rules
13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

House
6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Signature of Michael G. Battle
Michael G. Battle
Manager, Advisory Services