



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: SB 43 SLS 17RS 78
Bill Text Version: ENROLLED
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: June 1, 2017 4:54 PM Author: MARTINY
Dept./Agy.: Justice of the Peace Analyst: Barbara Lively
Subject: Clarifying language for compensation and costs

COURTS EN NO IMPACT LF EX See Note Page 1 of 1
Provides relative to compensation and distribution of costs of justices of the peace and constables. (8/1/17)

PURPOSE OF THE BILL: Proposed law provides that 50% of "court costs" shall be retained by the justice of the peace to be used for "compensation" and operational expenses of the office and court, and 50% of the court costs shall be used for "compensation" and operational expenses of the ward constable's office. This measure also gives clarifying language for the Justice of the Peace in East Baton Rouge Parish and Jefferson Parish.

In addition, the measure provides that in cases requiring out-of jurisdiction service, the justice of the peace and the ward constable's office may enter into an agreement whereby the out-of jurisdiction server's fee is paid directly from the justice of the peace and shall be paid from the ward constable office's portion of the court costs.

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, all showing \$0.

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, all showing \$0.

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on local governmental expenditures as a result of this measure, as the bill is putting in to law what is actually occurring in practice.

According to the St. Tammany Justice of the Peace Ward 3 and the Justice of the Peace and Constables Association, the change in the language from "fees" to "compensation" is reflective of current practice and there is no impact on expenditures.

The East Baton Rouge Justice of the Peace Ward 3 District 2 and Jefferson Parish Justice of the Peace 8th Justice Court anticipate that there is no impact on expenditures based on this bill as well.

According to Jefferson Parish Justice of the Peace 5th Justice Court and the Jefferson Parish Constable 5th Justice Court, there is no impact on expenditures based on this bill. Also, the payments made to an out-of-jurisdiction server is reflective of current practice and there is no additional impact.

REVENUE EXPLANATION

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

This bill does not change the amount of court cost that are collected by the Justice of the Peace offices.

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