



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: HB 73 HLS 18RS 518
Bill Text Version: REENGROSSED
Opp. Chamb. Action: W/ SEN FLOOR AMD
Proposed Amd.:
Sub. Bill For.:

Date: April 26, 2018 1:33 PM Author: BACALA
Dept./Agy.: Sheriffs, Marshals, and Constables Analyst: Barbara Lively
Subject: Garnishment Payments

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

Purpose of the 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, 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. Reasonable effort should be made to contact the seizing creditor for the current balance due before a garnishment is released or terminated.

Table with 7 columns: EXPENDITURES, 2018-19, 2019-20, 2020-21, 2021-22, 2022-23, 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, 2018-19, 2019-20, 2020-21, 2021-22, 2022-23, 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 Justice of the Peace & Constables Association (and various other contacts with Marshals, Sheriffs, and Justices of the Peace), this bill is not expected to impact expenditures 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 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 the current practice for processing garnishments into law (nor will it impact the revenues of Marshals, Sheriffs, or Justices of the Peace).

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