
DIGEST

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HB 116 Reengrossed

2020 Regular Session

Cox

Abstract: Allows the city marshal and constables of the city of Natchitoches to collect fees and costs under the general fee schedule provided in present law (R.S. 13:5807).

Present law (R.S. 13:5807) creates a general fee schedule for all city marshals and constables except for those serving in Orleans Parish and the cities of Natchitoches, Minden, Springhill, Franklin, Winnfield, Slidell, Bogalusa, Ruston, and Houma for services provided by constables and marshals.

Present law (R.S. 13:5807) provides that 60 percent of any funds collected in excess of the minimum fees set forth in present law shall be deposited in the equipment and training fund and provides that such funds be used for specified purposes.

Proposed law retains present law with regard to the excess funds collected as well as the fee schedule for all city marshals and constables but eliminates the marshal of the city of Natchitoches exception (R.S. 13:5807.1), allowing Natchitoches to be included in the general fee schedule.

Present law (R.S. 13:5807.1) provides for a list of enumerated fees in civil matters to be collected by the marshal for the cities of Natchitoches, Minden, Springhill, Franklin, and Winnfield.

Present law (R.S. 13:5807.1) allows the city marshal of Natchitoches to charge not less than \$10 but not more than \$20 for each service rendered in civil matters.

Proposed law removes Natchitoches from the list of cities authorized to collect fees as provided in present law (R.S. 13:5807.1).

By removing Natchitoches from present law (R.S. 13:5807.1) and adding the city to present law (R.S. 13:5807), the maximum amount a marshal or a constable can charge for each service rendered in civil matters changes from \$20 to \$30.

Proposed law provides that the fees collected by the marshal shall be deposited in the marshal's training and equipment fund which shall be used in purchasing or updating equipment and officer training necessary to carry out the performance of all duties imposed by law on constables and marshals.

Proposed law further provides that the fund shall be subject to and included in the marshal's annual audit which shall be filed with the legislative auditor who shall then make it available to the public.

Proposed law provides that proposed law shall not become effective until the judicial council approves the costs or fees and that no fees shall be collected without judicial council approval.

(Amends R.S. 13:5807(A)(15) and 5807.1(A)(intro. para.); Adds R.S. 13:5807(C); Repeals R.S. 13:5807.1(D))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Add a stipulation that proposed law shall not be effective until the judicial council approves and that no fee shall be collected until the judicial council approves the increase.

The House Floor Amendments to the engrossed bill:

1. Directs where the fees collected by the marshal shall be deposited and specifies the use of the fees.
2. Stipulates that the fund is subject to the marshal's annual audit which shall be filed with the legislative auditor who shall then make available to the public.