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## DIGEST

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HB 59 Engrossed

2022 Regular Session

Gregory Miller

**Abstract:** Repeals the fees and mileage rates for witnesses residing or employed within the parish or outside the parish but within 25 miles of the courthouse.

Present law (R.S. 13:3671) provides for witness fees and mileage rates for witnesses residing or employed in the parish where the court is situated or outside the parish within 25 miles of the courthouse.

Present law (R.S. 13:3671) provides that the witnesses may receive a fee of \$8 a day for every day they are in attendance at court and mileage at the rate of 16¢ a mile for the distance they are required to travel in going to and returning from the place where court is held.

Present law (R.S. 13:3671) provides that the fees and mileage rates of up to six witnesses subpoenaed by each party may be taxed as costs of court. Witnesses that exceed that number shall be paid by the party who subpoenaed them.

Present law (R.S. 13:3661) provides that witnesses in civil cases who reside or are employed in this state may be subpoenaed and compelled to attend trials and hearings. It does not provide a distance requirement.

Present law (R.S. 13:3661) provides that witnesses shall be paid for travel expenses to and from the courthouse at a rate equal in effect for state officials and paid an attendance fee of \$50 each day the witnesses are required to appear in court.

Present law (R.S. 13:3661) requires a deposit to the clerk of court be paid by the party who desires the testimony of the witnesses.

Present law (R.S. 13:3661) provides that in cases of exceptional hardship, the court may increase the travel expenses paid to the witnesses.

Proposed law repeals present law (R.S. 13:3671) as it contradicts present law (R.S. 13:3661).

(Repeals R.S. 13:3671)