



**OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note**

Fiscal Note On: **HB 150** HLS 23RS 454
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

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| Date: May 31, 2023 8:50 AM | Author: BRYANT |
| Dept./Agy.: Justices of the Peace and Constables | Analyst: Jamie Mergist |
| Subject: Civil Filing and Service Fees | |

FEES/LICENSES/PERMITS EN INCREASE LF RV See Note Page 1 of 1
 Increases certain fees for justice of the peace courts

Purpose of Bill: This bill increases the amount of five existing fees that justices of the peace (JPs) may charge for filings and services in civil matters. In addition, this bill provides for a \$30 fee for out of district service of process. The fees collected must be used for compensation and operating expenses of the office, court, and the ward constable's office.

Note: R.S. 13:2590 provides that 50% of the fees collected shall be used for JP compensation and operational expenses of the office and court, and 50% of the fees shall be used for compensation and operational expenses of the ward constable's office.

| EXPENDITURES | <u>2023-24</u> | <u>2024-25</u> | <u>2025-26</u> | <u>2026-27</u> | <u>2027-28</u> | <u>5 -YEAR TOTAL</u> |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
| Annual Total | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

| REVENUES | <u>2023-24</u> | <u>2024-25</u> | <u>2025-26</u> | <u>2026-27</u> | <u>2027-28</u> | <u>5 -YEAR TOTAL</u> |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | INCREASE | INCREASE | INCREASE | INCREASE | INCREASE | |
| Annual Total | | | | | | |

EXPENDITURE EXPLANATION

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

REVENUE EXPLANATION

The bill may increase annual local fund revenue for JPs, but the exact impact, if any, on each JP depends on the number of cases to which the increased fees are applied. We obtained impact information for 7 JPs. This information indicated the following annual revenue impacts:

Jefferson Parish 5th Justice Court: \$86,400 increase [new suits - \$7,200; eviction proceedings - \$72,000; writ of executions - \$7,200; service of judgment - less than \$1,000; additional service of process - less than \$1,000; out of district service of process - indeterminable]

Ascension Parish 2nd Justice Court: \$61,640 increase [new suits - \$26,640; eviction proceedings - \$16,400; writ of executions - \$1,520; service of judgments - \$17,080; additional service of process - indeterminable; out of district service of process - \$0]

East Baton Rouge Parish Ward 3 District 1: \$36,000 increase [new suits - \$36,000; eviction proceedings - \$0; writ of executions - \$0; service of judgments - \$0; additional service of process - \$0; out of district service of process - \$0]

St. Tammany Parish Ward 1: \$3,250 increase [new suits - \$930; eviction proceedings - \$2,320; writ of executions, service of judgments, and additional service of process - less than \$200 in total; out of district service of process - \$0]

Concordia Parish District 3: \$3,200 increase [new suits - \$2,280; eviction proceedings - \$920; writ of executions - \$0; service of judgments - \$0; additional service of process - \$0; out of district service of process - \$0]

Lafayette Parish Ward 5: \$2,100 increase [new suits - \$300; eviction proceedings - \$1,800; writ of executions, service of judgments, and additional service of process - less than \$250 in total; out of district service of process - \$0]

Bienville Parish District 1: \$720 increase [new suits - \$0; eviction proceedings - \$720; writ of executions - \$0; service of judgments - \$0; additional service of process - \$0; out of district service of process - \$0]

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| <p><u>Senate</u></p> <p><input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}</p> <p><input checked="" type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}</p> | <p><u>House</u></p> <p><input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}</p> <p><input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}</p> |
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