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## DIGEST

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HB 832 Original

2024 Regular Session

Hughes

**Abstract:** Provides relative to court costs and fees assessed in the parish of Orleans.

Present law provides that when a defendant is convicted after trial, enters a plea of guilty or nolo contendere, or forfeits bond, present law (R.S. 15:168) requires every court of original criminal jurisdiction to assess a special cost of \$45 to be remitted to the district indigent defender fund. Provides with respect to all courts of original criminal jurisdiction in parishes other than Orleans Parish, and authorizes, instead of requires, the assessment in courts of original criminal jurisdiction in Orleans Parish.

Proposed law removes the authorization to assess a special costs in courts of original criminal jurisdiction in Orleans Parish.

Present law (R.S. 15:571.11) provides that all fines and forfeitures, including forfeitures of criminal bail bonds, imposed in criminal cases and prosecutions by the courts of Orleans Parish and any payments ordered as a condition of probation shall, upon collection, be paid to the criminal sheriff of Orleans Parish, who shall deposit the funds into a special account, to be divided equally between the district attorney of Orleans Parish and the Criminal District Court for the Parish of Orleans. Provides that the portion of the funds dispersed to the district attorney of Orleans Parish shall be deposited into a special account to be administered in accordance with present law provisions.

Present law provides that the portion of funds dispersed to the Criminal District Court of the Parish of Orleans pursuant to present law shall be deposited into a special escrow account and retained for one year before being disbursed to the city of New Orleans to be used in defraying the expenses of the criminal justice system of the parish, extraditions, and other expenses pertaining to the operation of the criminal justice system of Orleans Parish.

Proposed law changes present law to provide that the funds shall be divided equally between the district attorney of Orleans Parish and, instead of the Criminal District Court for the Parish of Orleans, the city of New Orleans. Provides further that the funds shall be used to only defray the expenses of the criminal justice system in Orleans Parish.

Present law (R.S. 22:822) requires a fee on premiums for all commercial surety underwriters who write criminal bail bonds in the state of La. and provides that all premium fees collected by the sheriff shall be remitted within 60 days after receipt. In Orleans Parish, present law requires two

dollars collected for each \$100 worth of liability underwritten by the commercial surety on all premium fees collected by the sheriff to be maintained, supervised, and distributed as provided in present law (R.S. 13:1381.5).

Proposed law repeals the present law (R.S. 22:822(B)(3)) provision regarding fees on premiums for commercial surety underwriters in Orleans Parish.

Proposed law repeals present law (R.S. 13:1381.5).

Proposed law repeals Section 6 of Act 110 of the 2020 Regular Session of the Legislature of La. and Act 654 of the 2022 Regular Session of the Legislature of La.

Effective June 30, 2024.

(Amends R.S. 15:168(B)(1) and 571.11(D)(1) and (3) and R.S. 22:822(A); Repeals R.S. 13:1381.5, R.S. 22:822(B)(3), §6 of Act 110 of the 2020 R.S., and Act 654 of the 2022 R.S.)