



**OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note**

Fiscal Note On: **HB 722** HLS 13RS 1861
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.: **HB 313**

Date: May 9, 2013 1:18 PM	Author: HONORE
Dept./Agy.: Baton Rouge City Constable	Analyst: Theresa Chatelain
Subject: Criminal Bond Fees	

CRIMINAL/PROCEDURE RE +\$165,480 LF RV See Note Page 1 of 1
 Provides for an additional fee to be assessed on criminal bonds posted in the city court of Baton Rouge

Purpose of Bill: This measure authorizes the Baton Rouge City Constable to assess and collect a \$35 fee for every criminal bond posted in the city court of Baton Rouge. This fee shall be in addition to any other fees or fines provided by law and shall be used to supplement the operational expenses of the constable's office. The parish and the city are responsible for funding the constable's office. If the prosecuting attorney declines to prosecute a person who paid this fee or the prosecution results in acquittal, dismissal, or granting of a motion to quash, the payee is entitled to a refund after submitting a request within thirty days of the final disposition of the case. The constable's office shall refund the fee within thirty days after receiving notice that the court granted the refund request.

EXPENDITURES	2013-14	2014-15	2015-16	2016-17	2017-18	5 -YEAR TOTAL
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	2013-14	2014-15	2015-16	2016-17	2017-18	5 -YEAR TOTAL
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>\$165,480</u>	<u>\$165,480</u>	<u>\$165,480</u>	<u>\$165,480</u>	<u>\$165,480</u>	<u>\$827,400</u>
Annual Total	\$165,480	\$165,480	\$165,480	\$165,480	\$165,480	\$827,400

EXPENDITURE EXPLANATION

This measure will have no direct material effect on governmental expenditures.

REVENUE EXPLANATION

This measure may increase local fund revenues by \$165,480 per year.

Based on information provided by the Baton Rouge City Constable's Office, there was an average of 394 criminal bonds posted in the months of January, February, and March of 2013. Based on this information, the constable's office revenues may increase by \$165,480 annually. Revenues indicated above may decrease if the prosecution of persons who pay this fee results in acquittal, dismissal, or granting of a motion to quash and the person requests a refund within 30 days. The impact of the refunds on local fund revenues is indeterminable.

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

Joy Irwin
Director of Advisory Services