

Regular Session, 2014

HOUSE BILL NO. 915

BY REPRESENTATIVE ALFRED WILLIAMS

COURTS/COURT COSTS: Authorizes the levy of a warrant recall fee to fund a misdemeanor jail in East Baton Rouge Parish

1 AN ACT

2 To enact R.S. 13:1000.10, 1415, 2071.1, 2488.40, and 2488.41, relative to collection of fees  
3 in all East Baton Rouge Parish courts; to authorize all courts in East Baton Rouge  
4 Parish to levy a warrant recall fee to fund a misdemeanor detention facility; to  
5 provide for the collection of the fee and expenditure of funds collected; to provide  
6 reporting requirements; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:1000.10, 1415, 2071.1, 2488.40, and 2488.41 are hereby enacted  
9 to read as follows:

10 §1000.10. Nineteenth Judicial District Court; additional warrant recall fees;

11 Misdemeanor Detention Fund

12 A. The Nineteenth Judicial District Court is hereby authorized to levy and  
13 impose a warrant recall fee of fifty dollars on all persons who fail to appear as  
14 ordered on all misdemeanor offenses and traffic offenses where a warrant for arrest  
15 is issued, the proceeds of which shall be used to pay the expenses of operating a  
16 misdemeanor detention facility in the parish.

17 B. The clerk of court shall place all sums collected or received pursuant to  
18 this Section with the finance director for the parish of East Baton Rouge, who shall  
19 place the funds in a separate account to be designated as the Misdemeanor Detention  
20 Fund. All monies in this account shall be used solely for the purpose of paying

1 expenses associated with the operation of a misdemeanor detention facility in the  
2 parish. The finance director shall cause to be conducted annually an audit of the  
3 fund and the books and accounts relating thereto, and shall file the same with the  
4 office of the legislative auditor, where it shall be available for public inspection.

5 C. All law enforcement agencies within the parish shall confer for the  
6 purpose of creating and implementing additional pilot programs for the periodic  
7 targeted enforcement of outstanding warrants until sufficient revenues are generated  
8 to sustain the permanent operation of the misdemeanor detention facility.

9 D. The mayor-president for the parish of East Baton Rouge shall be  
10 authorized to expend funds and enter into cooperative endeavor agreements with all  
11 courts, the sheriff of East Baton Rouge Parish, and all other law enforcement  
12 agencies within the parish in order to carry out the provisions of this Section, subject  
13 to the approval of the Metropolitan Council of East Baton Rouge Parish.

14 E. The mayor-president through the finance department shall report quarterly  
15 to the Metropolitan Council and the courts within the parish on the matters set forth  
16 in this Section, including recommendations regarding necessary adjustments and the  
17 financial feasibility of the misdemeanor warrant enforcement programs.

18 \* \* \*

19 §1415. East Baton Rouge Parish Family Court; additional warrant recall fees;  
20 Misdemeanor Detention Fund

21 A. The East Baton Rouge Parish Family Court is hereby authorized to levy  
22 and impose a warrant recall fee of fifty dollars on all persons who fail to appear as  
23 ordered on all misdemeanor offenses and traffic offenses where a warrant for arrest  
24 is issued, the proceeds of which shall be used to pay the expenses of operating a  
25 misdemeanor detention facility in the parish.

26 B. The clerk of court shall place all sums collected or received pursuant to  
27 this Section with the finance director for the parish of East Baton Rouge, who shall  
28 place the funds in a separate account to be designated as the Misdemeanor Detention  
29 Fund. All monies in this account shall be used solely for the purpose of paying

1 expenses associated with the operation of a misdemeanor detention facility in the  
2 parish. The finance director shall cause to be conducted annually an audit of the  
3 fund and the books and accounts relating to the fund, and shall file the same with the  
4 office of the legislative auditor, where it shall be available for public inspection.

5 C. All law enforcement agencies within the parish shall confer for the  
6 purpose of creating and implementing additional pilot programs for the periodic  
7 targeted enforcement of outstanding warrants until sufficient revenues are generated  
8 to sustain the permanent operation of the misdemeanor detention facility.

9 D. The mayor-president for the parish of East Baton Rouge shall be  
10 authorized to expend funds and enter into cooperative endeavor agreements with all  
11 courts, the sheriff of East Baton Rouge Parish, and all other law enforcement  
12 agencies within the parish in order to carry out the provisions of this Section, subject  
13 to the approval of the Metropolitan Council of East Baton Rouge Parish.

14 E. The mayor-president through the finance department shall report quarterly  
15 to the Metropolitan Council and the courts within the parish on the matters set forth  
16 in this Section, including recommendations regarding necessary adjustments and the  
17 financial feasibility of the misdemeanor warrant enforcement programs.

18 \* \* \*

19 §2071.1. Baton Rouge City Court; additional warrant recall fees; Misdemeanor  
20 Detention Fund

21 A. The Baton Rouge City Court is hereby authorized to levy and impose a  
22 warrant recall fee of fifty dollars on all persons who fail to appear as ordered on all  
23 misdemeanor offenses and traffic offenses where a warrant for arrest is issued, the  
24 proceeds of which shall be used to pay the expenses of operating a misdemeanor  
25 detention facility in the parish.

26 B. The clerk of court shall place all sums collected or received pursuant to  
27 this Section with the finance director for the parish of East Baton Rouge, who shall  
28 place the funds in a separate account to be designated as the Misdemeanor Detention  
29 Fund. All monies in this account shall be used solely for the purpose of paying

1 expenses associated with the operation of a misdemeanor detention facility in the  
2 parish. The finance director shall cause to be conducted annually an audit of the  
3 fund and the books and accounts relating thereto, and shall file the same with the  
4 office of the legislative auditor, where it shall be available for public inspection.

5 C. All law enforcement agencies within the parish shall confer for the  
6 purpose of creating and implementing additional pilot programs for the periodic  
7 targeted enforcement of outstanding warrants until sufficient revenues are generated  
8 to sustain the permanent operation of the misdemeanor detention facility.

9 D. The mayor-president for the parish of East Baton Rouge shall be  
10 authorized to expend funds and enter into cooperative endeavor agreements with all  
11 courts, the sheriff of East Baton Rouge Parish, and all other law enforcement  
12 agencies within the parish in order to carry out the provisions of this Section, subject  
13 to the approval of the Metropolitan Council of East Baton Rouge Parish.

14 E. The mayor-president through the finance department shall report quarterly  
15 to the Metropolitan Council and the courts within the parish on the matters set forth  
16 in this Section, including recommendations regarding necessary adjustments and the  
17 financial feasibility of the misdemeanor warrant enforcement programs.

18 \* \* \*

19 §2488.40. Baker City Court; additional warrant recall fees; Misdemeanor Detention  
20 Fund

21 A. The Baker City Court is hereby authorized to levy and impose a warrant  
22 recall fee of fifty dollars on all persons who fail to appear as ordered on all  
23 misdemeanor offenses and traffic offenses where a warrant for arrest is issued, the  
24 proceeds of which shall be used to pay the expenses of operating a misdemeanor  
25 detention facility in the parish.

26 B. The clerk of court shall place all sums collected or received pursuant to  
27 this Section with the finance director for the parish of East Baton Rouge, who shall  
28 place the funds in a separate account to be designated as the Misdemeanor Detention  
29 Fund. All monies in this account shall be used solely for the purpose of paying

1 expenses associated with the operation of a misdemeanor detention facility in the  
2 parish. The finance director shall cause to be conducted annually an audit of the  
3 fund and the books and accounts relating thereto, and shall file the same with the  
4 office of the legislative auditor, where it shall be available for public inspection.

5 C. All law enforcement agencies within the parish shall confer for the  
6 purpose of creating and implementing additional pilot programs for the periodic  
7 targeted enforcement of outstanding warrants until sufficient revenues are generated  
8 to sustain the permanent operation of the misdemeanor detention facility.

9 D. The mayor-president for the parish of East Baton Rouge shall be  
10 authorized to expend funds and enter into cooperative endeavor agreements with all  
11 courts, the sheriff of East Baton Rouge Parish, and all other law enforcement  
12 agencies within the parish in order to carry out the provisions of this Section, subject  
13 to the approval of the Metropolitan Council of East Baton Rouge Parish.

14 E. The mayor-president through the finance department shall report quarterly  
15 to the Metropolitan Council and the courts within the parish on the matters set forth  
16 in this Section, including recommendations regarding necessary adjustments and the  
17 financial feasibility of the misdemeanor warrant enforcement programs.

18 §2488.41. Zachary City Court; additional warrant recall fees; Misdemeanor  
19 Detention Fund

20 A. The Zachary City Court is hereby authorized to levy and impose a warrant  
21 recall fee of fifty dollars on all persons who fail to appear as ordered on all  
22 misdemeanor offenses and traffic offenses where a warrant for arrest is issued, the  
23 proceeds of which shall be used to pay the expenses of operating a misdemeanor  
24 detention facility in the parish.

25 B. The clerk of court shall place all sums collected or received pursuant to  
26 this Section with the finance director for the parish of East Baton Rouge, who shall  
27 place the funds in a separate account to be designated as the Misdemeanor Detention  
28 Fund. All monies in this account shall be used solely for the purpose of paying  
29 expenses associated with the operation of a misdemeanor detention facility in the

1 parish. The finance director shall cause to be conducted annually an audit of the  
2 fund and the books and accounts relating thereto, and shall file the same with the  
3 office of the legislative auditor, where it shall be available for public inspection.

4 C. All law enforcement agencies within the parish shall confer for the  
5 purpose of creating and implementing additional pilot programs for the periodic  
6 targeted enforcement of outstanding warrants until sufficient revenues are generated  
7 to sustain the permanent operation of the misdemeanor detention facility.

8 D. The mayor-president for the parish of East Baton Rouge shall be  
9 authorized to expend funds and enter into cooperative endeavor agreements with all  
10 courts, the sheriff of East Baton Rouge Parish, and all other law enforcement  
11 agencies within the parish in order to carry out the provisions of this Section, subject  
12 to the approval of the Metropolitan Council of East Baton Rouge Parish.

13 E. The mayor-president through the finance department shall report quarterly  
14 to the Metropolitan Council and the courts within the parish on the matters set forth  
15 in this Section, including recommendations regarding necessary adjustments and the  
16 financial feasibility of the misdemeanor warrant enforcement programs.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Alfred Williams

HB No. 915

**Abstract:** Authorizes the collection of a \$50 warrant recall fee in all courts within East Baton Rouge Parish and provides for the collection and use of such fee.

Proposed law authorizes the 19th JDC, East Baton Rouge Parish Family Court, Baker City Court, Zachary City Court, and Baton Rouge City Court to levy and impose a \$50 warrant recall fee on all persons who fail to appear as ordered on all misdemeanor offenses and traffic offenses where a warrant for arrest is issued and provides that the proceeds of which shall be used to pay the expenses of operating a misdemeanor detention facility in the parish.

Proposed law requires each clerk of court to place all sums collected or received with the finance director for the parish of East Baton Rouge, who shall place the funds in a separate account to be designated as the Misdemeanor Detention Fund.

Proposed law requires all monies in this account to be used solely for the purpose of paying expenses associated with the operation of a misdemeanor detention facility in the parish and requires the finance director to conduct an annual audit of the fund and the books and related

accounts and file the audit with the office of the legislative auditor, where it shall be available for public inspection.

Proposed law requires all law enforcement agencies within the parish to confer for the purpose of creating and implementing additional pilot programs for the periodic targeted enforcement of outstanding warrants until sufficient revenues are generated to sustain the permanent operation of the misdemeanor detention facility.

Proposed law authorizes the mayor-president to expend funds and enter into cooperative endeavor agreements with all courts, the sheriff of East Baton Rouge Parish, and all other law enforcement agencies within the parish in order to carry out the provisions of proposed law, subject to the approval of the Metropolitan Council.

Proposed law requires the mayor-president through the finance department to report quarterly to the Metropolitan council and the courts within the parish on the misdemeanor detention fund, including recommendations regarding necessary adjustments and the financial feasibility of the misdemeanor warrant enforcement programs.

(Adds R.S. 13:1000.10, 1415, 2071.1, 2488.40, and 2488.41)

#### Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Judiciary to the original bill.

1. Added authorization for the clerk of Zachary City Court to levy and impose a \$50 warrant recall fee on all persons who fail to appear as ordered on all misdemeanor offenses and traffic offenses where a warrant for arrest is issued.