
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ben A. Huxen II.

SB 120 Engrossed

DIGEST
2016 Regular Session

Martiny

Present law provides that the Ascension Parish Court judge shall receive an annual salary of not less than sixty-eight thousand five hundred twenty-two dollars, payable monthly on his own warrant by the state of Louisiana, the parish of Ascension, the municipalities within the parish of Ascension, and the judicial expense fund for the Parish Court for the Parish of Ascension, and apportioned according to present law.

Present law provides that in all criminal cases over which the court has jurisdiction, there shall be taxed as costs against every defendant who is convicted after trial or after a plea of guilty or who forfeits his bond, a sum determined by the judge of the parish court, which sum shall not exceed fifteen dollars, which shall be in addition to all other fines, costs or forfeitures lawfully imposed and which shall be transmitted to the clerk of court for further disposition in accordance herewith. Present law further provides that any bench warrant fees collected by the court from a defendant shall also be transmitted to the clerk of court for further disposition.

Present law also provides that the clerk of court shall place all sums collected or received from criminal bond forfeitures in a separate account to be designated as the Judicial Expense Fund for the Parish Court for the Parish of Ascension, which the judge has control over and responsibility for ensuring that the account is audited.

Present law also provides that no salary shall be paid from the judicial expense fund to the judge, except the judge appointed temporarily under the provisions of R.S. 13:2563.9 and as provided in R.S. 13:2563.5(B)(5).

Proposed law specifies that the forty-four thousand two hundred sixty-five dollars per annum paid by the state of Louisiana is subject to the increases mandated by R.S. 13:50. Proposed law also changes Ascension Parish's payment requirement from seven thousand one hundred ten dollars per annum to an annual appropriation from the parish general fund and the Ascension Parish Judicial Expense Fund sufficient to fully fund the operations of the parish court, which shall include the salaries and benefits of the parish judge and the parish court's employees.

Proposed law requires the bond forfeiture costs to be forwarded, on a monthly basis, to the chief financial officer of Ascension Parish, rather than the clerk of court, for deposit into the Judicial Expense Fund. Proposed law further shifts control and oversight of the fund from the clerk of court to the parish chief financial officer.

Proposed law also provides that no salary shall be paid from the judicial expense fund to the judge, except the judge appointed temporarily under the provisions of R.S. 13:2563.9 and as provided in R.S. 13:2563.5(B)(4) and (C).

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 13:2563.5(B) and 2563.17(A)-(C); adds R.S. 13:2563.5(C))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Deleted provision increasing, effective July 1, 2016, the salary of courts of appeal judges by one and one-half percent, as recommended by the Judicial Compensation Commission, if such increase conforms to the appropriation provided in House Bill No. __ of the 2016 Regular Session of the Legislature.
2. Added provisions relative to Ascension Parish court and judge.