

2016 Regular Session

HOUSE BILL NO. 773

BY REPRESENTATIVE MARCELLE

1 AN ACT

2 To amend and reenact R.S. 13:992.1(A) and (C)(4), R.S. 33:447.11, and Section 2 of Act  
3 No. 13 of the 2013 Regular Session of the Legislature, to enact R.S. 13:1000.7, and  
4 to repeal R.S. 13:1000.7 effective on August 1, 2021, relative to court costs; to  
5 provide for court costs collected in the Nineteenth Judicial District Court and  
6 Juvenile Court of East Baton Rouge Parish; to provide for use of proceeds; to  
7 provide relative to the Judicial Building Fund; to provide for the applicability of  
8 certain costs and service charges in the Nineteenth Judicial District; to provide for  
9 certain court costs in certain mayor's courts and the use of such costs; to provide for  
10 effective dates; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 13:992.1(A) and (C)(4) are hereby amended and reenacted to read  
13 as follows:

14 §992.1. Judicial building fund

15 A. The Nineteenth Judicial District Court and the clerk of court of the  
16 Nineteenth Judicial District are hereby authorized to impose the following additional  
17 costs of court and service charges provided for in Subsection B of this Section in all  
18 cases over which the court has jurisdiction, until the bonded indebtedness provided  
19 for in Subsection C of this Section is paid. The costs and charges provided in  
20 Subsection B of this Section shall not apply to cases involving ~~juvenile and family~~  
21 matters or any child welfare proceeding instituted by the Department of Children and  
22 Family Services or any district attorney's office. The costs and charges may be up  
23 to and include the maximum amount set forth and shall be imposed on order of the  
24 judges en banc. Such costs and charges shall be paid to the clerk of court when the  
25 filing is made.

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(4) The monies generated pursuant to this Section shall be forwarded by the clerk of court and sheriff to the fiscal agent bank chosen by the commission to be held in the courthouse construction fund. Any funds currently on deposit to the separate account of the judicial expense fund from the costs and charges authorized by this Section shall be transferred at the discretion of the commission to the courthouse construction fund held by the commission's fiscal agent. These monies deposited to the courthouse construction fund shall be dedicated to the design, planning, feasibility, acquisition, construction, equipping, operating, and maintaining a new facility to house the Nineteenth Judicial District Court, the Family Court of East Baton Rouge Parish, the Juvenile Court, the offices of the clerk of court for the Nineteenth Judicial District, and such other ancillary agencies as may be necessary. No monies generated pursuant to this Section shall be used for payment of any bonded indebtedness involving site acquisition or construction of a new facility unless approved by the Joint Legislative Committee on the Budget and the State Bond Commission.

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Section 2. R.S. 13:1000.7 is hereby enacted to read as follows:

§1000.7. Criminal matters; additional costs in East Baton Rouge Parish

A. In all criminal cases, including traffic offenses, of which the Nineteenth Judicial District Court and Juvenile Court of East Baton Rouge Parish have jurisdiction, there shall be assessed as additional costs against every defendant who is convicted after trial or who pleads guilty or forfeits bond, the sum of ten dollars to the Nineteenth Judicial District Court Building Commission or ten dollars to the Juvenile Court of East Baton Rouge Parish as applicable. These costs shall be in addition to all other fines, costs, or forfeitures lawfully imposed and shall be transmitted to the sheriff of East Baton Rouge Parish and all sums collected shall be expended pursuant to the order of the judges of the respective courts, en banc.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1                   B. No defendant shall be assessed costs pursuant to Subsection A of this  
2                   Section in excess of ten dollars.

3                   C. The provisions of this Section shall be null, void, and of no effect on and  
4                   after August 1, 2021.

5                   Section 3. R.S. 33:447.11 is hereby amended and reenacted to read as follows:

6                   §447.11. Mayor's court; certain municipalities; additional court costs

7                   A. Notwithstanding any other provision of law to the contrary, the mayors  
8                   of the municipalities of DeQuincy, Iowa, Vinton, and Westlake may impose  
9                   additional court costs not to exceed twenty dollars for each offense, as defined by  
10                  ordinance, on any defendant convicted of a violation of a municipal ordinance or  
11                  traffic violation, provided that fifty percent of any additional court cost collected  
12                  pursuant to this Section shall be remitted to the Fourteenth Judicial District's Indigent  
13                  Defender Fund.

14                  B. Notwithstanding any provision of law to the contrary, the additional costs  
15                  levied pursuant to R.S. 40:2264 and 2266.1 in excess of ten dollars per offense shall  
16                  be optional in any mayor's court that actually levies the additional costs authorized  
17                  pursuant to Subsection A of this Section.

18                  Section 4. Section 2 of Act No. 13 of the 2013 Regular Session of the Legislature  
19                  is hereby amended to read as follows:

20                  Section 2. R.S. 33:447.11 as enacted by this Act shall be null and  
21                  void on and after August 1, ~~2016~~ 2023.

22                  Section 5. R.S. 13:1000.7 is hereby repealed in its entirety.

23                  Section 6.(A) The provisions of this Section and Section 1 of this Act shall become  
24                  effective July 1, 2016. If vetoed by the governor and subsequently approved by the  
25                  legislature, this Section and Section 1 of this Act shall become effective on July 1, 2016, or  
26                  on the day following such approval by the legislature, whichever is later.

27                  (B) The provisions of Sections 2, 3, and 4 of this Act shall become effective on  
28                  August 1, 2016.

1           (C) The provisions of Section 5 of this Act shall become effective on August 1,  
2           2021.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_