

ACT No. 638

2016 Regular Session

HOUSE BILL NO. 689

BY REPRESENTATIVE JONES

1 AN ACT

2 To amend and reenact R.S. 13:2005.1, 2488.7, and 2488.77 and to enact R.S. 13:2005(D)
3 and (E) and 2013, relative to city courts; to provide for the city courts of New Iberia,
4 Franklin, Breaux Bridge, Jeanerette, and Morgan City; to provide for the creation of
5 Indigent Defender Fund Boards in those city courts; to provide for membership; to
6 provide relative to fees collected for purposes of indigent defense; to deposit a
7 portion of those fees into a special fund; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 13:2005.1, 2488.7, and 2488.77 are hereby amended and reenacted
10 and R.S. 13:2005(D) and (E) and 2013 are hereby enacted to read as follows:

11 §2005. Morgan City

12 * * *

13 D. Thirty percent of the funds collected by the city court of Morgan City
14 pursuant to the provisions of R.S. 15:168(B) shall be deposited into a special fund
15 created for this purpose. The fund shall be referred to as the Morgan City Indigent
16 Defender Fund.

17 E. The Morgan City Indigent Defender Fund Board shall manage and
18 oversee funds remitted to the Morgan City Indigent Defender Fund and shall consist
19 of three members residing in the Morgan City Court district and shall be composed
20 of the following:

21 (1) One member appointed by the city council of Morgan City.

22 (2) One member appointed by the St. Mary Parish Council.

1 members residing in the Jeanerette City Court district and shall be composed of the
2 following:

- 3 (1) One member appointed by the city council of Jeanerette.
- 4 (2) One member appointed by the Iberia Parish Council.
- 5 (3) One member appointed by the legislative delegation from nominees from
6 the Louis A. Martinet Legal Society.

7 * * *

8 §2488.7. Collection of fines, forfeitures, penalties and costs

9 A. The city judge or any officer of the city court as may be designated by the
10 city judge, shall collect all fines, forfeitures, penalties and costs, and all funds so
11 collected, excluding costs, shall be paid into the town treasury of the town of
12 Franklin when the prosecution is on behalf of the town, and into the parish treasury
13 when the prosecution is on behalf of the state or the parish.

14 B. Notwithstanding any other provision of this Section to the contrary, thirty
15 percent of the funds collected by the city court of Franklin pursuant to the provisions
16 of R.S. 15:168(B) may be deposited into a special fund created for this purpose. The
17 fund shall be referred to as the Franklin Indigent Defender Fund.

18 C. The Franklin Indigent Defender Fund Board shall manage and oversee
19 funds remitted to the Franklin Indigent Defender Fund and shall consist of three
20 members residing in the Franklin City Court district and shall be composed of the
21 following:

- 22 (1) One member appointed by the city council of Franklin.
- 23 (2) One member appointed by the St. Mary Parish Council.
- 24 (3) One member appointed by the legislative delegation from nominees from
25 the Louis A. Martinet Legal Society.

26 * * *

27 §2488.77. Collection of fines, forfeitures, penalties, and costs

28 A. The city judge, or any other officer of the city court designated by the city
29 judge, shall collect all fines, forfeitures, penalties, and costs, and all funds so
30 collected, excluding costs, shall be paid into the town treasury of the town of Breaux

1 Bridge when the prosecution is on behalf of the town, and into the parish treasury of
2 the St. Martin Parish police jury general fund when the prosecution is on behalf of
3 the state or the parish.

4 B. Notwithstanding any other provision of this Section to the contrary, thirty
5 percent of the funds collected by the city court of Breaux Bridge pursuant to the
6 provisions of R.S. 15:168(B) shall be deposited into a special fund created for this
7 purpose. The fund shall be referred to as the Breaux Bridge Indigent Defender Fund.

8 C. The Breaux Bridge Indigent Defender Fund Board shall manage and
9 oversee funds remitted to the Breaux Bridge Indigent Defender Fund and shall
10 consist of three members residing in the Breaux Bridge City Court district and shall
11 be composed of the following:

12 (1) One member appointed by the city council of Breaux Bridge.

13 (2) One member appointed by the St. Martin Parish Council.

14 (3) One member appointed by the legislative delegation from nominees from
15 the Louis A. Martinet Legal Society.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____