



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: HB 99 HLS 17RS 787
Bill Text Version: ENGROSSED
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Table with metadata: Date: May 19, 2017 10:47 AM; Author: CARPENTER; Dept./Agy.: Courts; Subject: Fees on Civil Matters; Analyst: Barbara Lively

COURTS EG INCREASE LF RV See Note Page 1 of 1
Provides for fees in certain civil matters

PURPOSE OF THIS BILL: This bill allows constables and marshals statewide, except for Orleans Parish, to increase the fees from 6% to 10% for collecting money for an execution of order of seizure and sale and the execution of a writ, without either seizure or sale. Forty percent of the fee increase shall be deposited into an equipment fund to be used for the purchase and updating of equipment.

The Amended bill provides that in accordance with the provisions of R.S. 13:62, the increase in court costs or fees as provided for in this Act shall become effective if and when the Judicial Council provides a recommendation that such court costs or fees meet the applicable guidelines in its 2018 Report to the Louisiana Legislature.

Table with 7 columns: EXPENDITURES, REVENUES, 2017-18, 2018-19, 2019-20, 2020-21, 2021-22, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

EXPENDITURE EXPLANATION

There may be an increase in local governmental expenditures as a result of this measure.

This measure requires a minimum of 40% of the increase in fees deposited into an equipment fund to be used for the purchase and updating of equipment.

REVENUE EXPLANATION

There may be an increase in local government revenues as a result of this measure.

We identified at least 426 separate Constable and Marshal offices in the state. We discussed the impact on revenues with three of these offices (See below). Based on their expected increases, we calculated an average increase of \$6,850 per office. If this average was applied to all 426 offices, the estimated calculated increase would be \$2.9 million statewide. However, collection efforts and results of the individual offices would vary.

Official with St. Tammany Parish Constable Ward 3-A indicated that revenue would increase by \$10,000 per year.(\$250,000 collected X 4% increase).

Official with Pineville City Marshal indicated that revenue would increase by approximately \$7,300 per year (\$182,500 X 4% increase).

Official with Shreveport City Marshall indicated that revenue would increase by approximately \$3,260 per year (\$81,567 X 4% increase).

- Senate Dual Referral Rules: 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}; 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}
House: 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}; 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Signature of Michael G. Battle, Manager, Advisory Services