

GREEN SHEET REDIGEST

HB 327

2017 Regular Session

Schexnayder

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

COURTS/DISTRICT. Establishes the Ascension Parish Courthouse Fund for the construction of a new courthouse for the Twenty-Third Judicial District Court and the Ascension Parish Court.

DIGEST

Proposed law establishes the Ascension Parish Courthouse Fund for the construction of a new courthouse for the 23rd JDC in Ascension Parish and the Ascension Parish Court, and the renovation or conversion of the existing courthouse.

Proposed law provides for the following charges to be imposed and collected in all cases over which the 23rd JDC for the parish of Ascension and the Ascension Parish Court have jurisdiction:

- (1) \$150 per initial filing of a civil suit.
- (2) \$30 per filing of each additional pleading.

Proposed law provides that these charges shall be in addition to other civil filing fees levied and collected by the Ascension Parish Clerk of Court. Proposed law further provides that such charges shall be imposed by the judges of the 23rd JDC acting en banc and the Ascension Parish Court judge.

Proposed law provides that monies generated by proposed law shall be held by the Ascension Parish Clerk of Court, remitted at least monthly to the Dept. of Finance for the parish, and irrevocably deposited into the Ascension Parish Courthouse Fund. Proposed law further provides for the purpose and use of the fund.

Proposed law provides that once bonds have been matured or have been satisfied in full and there is no other indebtedness outstanding to the Ascension parish courthouse, the judges and the Ascension parish council shall reduce the amount of the filing fee to an amount sufficient for the continued operation and maintenance of the Ascension Parish Courthouse.

Proposed law provides for the ownership and control of the Ascension Parish Courthouse Fund and provides for the obligations of the Ascension Parish Council.

Proposed law provides procedures regarding the use of surplus funds and authorizes the reduction of the filing charges. Proposed law further authorizes the use of cooperative endeavor agreements in conjunction with the design, construction, renovation, equipping, operation, furnishing and maintenance of the new Ascension Parish Courthouse.

Proposed law provides for the increase in court costs or fees to become effective if and when the Judicial Council reviews such request and makes a recommendation to the legislature in its 2018 report that the court costs meet applicable guidelines.

(Adds R.S. 13:996.69)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

- 1. Change the filing fees for the initial filing of a civil suit from \$120 to \$150.

2. Change the filing fees for additional pleading in civil suits from \$20 to \$30.
3. Add witness lists, exhibit lists, memorandums, sheriffs return notices, interrogatories, stipulations, exhibits, discovery requests, written reasons for judgments, and exceptions to the list of additional types of pleadings that are subject to a \$30 filing fee.
4. Allow the funds deposited in the Ascension parish courthouse fund to be used for the furnishing of the new Ascension Parish Courthouse.
5. Allow the funds deposited in the Ascension Parish Courthouse Fund to be used to renovate or convert any existing courthouse building in Ascension Parish.
6. Add a provision requiring the reduction of the amount of the filing fee in certain circumstances.
7. Add a provision giving the sheriff of Ascension Parish the ability to vote to expend additional surplus funds available in the Ascension Parish Courthouse Fund.
8. Add a provision allowing the sheriff of Ascension Parish to enter into cooperative endeavor agreements with Ascension Parish related to the Ascension Parish Courthouse.
9. Provide that the imposition of fees will become effective if and when the Judicial Council reviews the request and makes its recommendations to the legislature in its 2018 report.

Summary of Amendments Adopted by Senate

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

1. Deletes language creating agreement by state, Louisiana Legislature and other public entities with bondholders prohibiting actions by such public entities that impair rights and remedies or security.