

CONFERENCE COMMITTEE REPORT

HB 327

2017 Regular Session

Schexnayder

June 8, 2017

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 327 by Representative Schexnayder, recommend the following concerning the Engrossed bill:

- 1. That the set of Senate Committee Amendments by the Senate Committee on Judiciary A (#2473) be adopted.
- 2. That the following amendments to the Engrossed bill be adopted:

AMENDMENT NO. 1

On page 5, delete lines 3 through 6 in their entirety and insert the following:

"Section 2. The imposition of court costs or fees as provided in this Act shall become effective on the date of Judicial Council approval; no fees shall be collected without Judicial Council approval."

Respectfully submitted,

Representative Clay Schexnayder

Senator Rick Ward, III

Representative Neil C. Abramson

Senator Eddie Lambert

Representative Katrina Jackson

Senator Mack "Bodi" White, Jr.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

CONFERENCE COMMITTEE REPORT DIGEST

HB 327

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Keyword and oneliner of the instrument as it left the House

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

Report adopts Senate amendments to:

1. Remove provisions in proposed law prohibiting the state, any political subdivision, the 23rd JDC, the Ascension Parish Court, the Ascension Parish Clerk of Court, the Ascension Parish Council, and the Louisiana Legislature from impairing the rights and remedies of holders of bonds, the security for bonds, or other indebtedness issued in connection with the new Ascension Parish courthouse and the renovation or conversion of an existing courthouse building until the bonds or other indebtedness are paid in full and discharged.

Report amends the bill to:

1. Changes the effective date for the increase in court costs or fees from when the Judicial Council reviews such request and makes a recommendation to the legislature in its 2018 to effective upon Judicial Council approval.

Digest of the bill as proposed by the Conference Committee

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.

Effective upon Judicial Council approval.

(Adds R.S. 13:996.69)