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## DIGEST

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HB 315 Reengrossed

2018 Regular Session

Carpenter

**Abstract:** Increases the fees for city constables and marshals for all matters that pertain to service or returns of all legal documents, execution of writs, newspaper advertisements, and executions of writs of possession or ejectment, and provides that 60% of these funds shall be used on equipment and training.

Present law provides a fee schedule for all city marshals and constables except for those serving in Orleans Parish and the cities of Natchitoches, Minden, Springhill, Franklin, Winnfield, Slidell, Bogalusa, Ruston, and Houma. Present law contains specific provisions applicable to those cities and Orleans Parish.

Proposed law increases the fee to \$30 for all matters that pertain to service or returns of all legal documents, execution of writs, newspaper advertisements, and executions of writs of possession or ejectment. Proposed law repeals the present law fee schedule applicable only to the city of Hammond.

Proposed law provides that 60% of the funds collected, except for funds collected for execution of an order of seizure and sale, execution of a writ, and certain other services or duties, shall be used for the purchase or updating of necessary equipment and officer training to carry out the efficient performance of the duties of constables and marshals. Further requires the money to be deposited into an equipment and training fund which shall be audited annually.

Proposed law is contingent upon the recommendation by the Judicial Council.

(Amends R.S. 13:5807; Repeals R.S. 13:5807.2)

### Summary of Amendments Adopted by House

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

1. Require 60% of the funds to be used for equipment purposes and require the equipment fund to be included in an annual audit.
2. Repeal the present law fee schedule applicable only to the city of Hammond.

The House Floor Amendments to the engrossed bill:

1. Require 60% of the collected funds to be used for equipment and officer training purposes. Further require the money to be placed in a equipment and training fund subjected to an annual audit.
2. Exclude the money collected for the execution of a writ or order of seizure and sale and the money collected for certain other services or duties from being deposited into the equipment and training fund.