

02019 Regular Session

HOUSE BILL NO. 39

BY REPRESENTATIVE MCFARLAND

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

WITNESSES/FEEES: Provides relative to surplus witness fees of off-duty law enforcement officers

1 AN ACT

2 To enact R.S. 15:255(V), relative to costs of courts; to provide relative to witness fees for  
3 off-duty law enforcement officers; to authorize the transfer of certain witness fee  
4 surplus funds within the Eighth Judicial District; to provide for the transfer  
5 procedures and use of funds; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:255(V) is hereby enacted to read as follows:

8 §255. Witness fees to off-duty law enforcement officers

9 \* \* \*

10 V. In the Eighth Judicial District, all surplus monies in the special fund in  
11 that district at the end of each calendar year which exceeds five thousand dollars  
12 shall be transmitted by the governing authority of Winn Parish to the criminal court  
13 fund of the Eighth Judicial District Court. As used in this Subsection, "special fund"  
14 means the special fund provided for in Subsection D of this Section, and "surplus  
15 monies" means the amount of money which is in each special fund at the end of each  
16 calendar year and which is in excess of the total amount paid from each special fund  
17 as witness fees for off-duty law enforcement officers in that calendar year. The  
18 surplus monies which are required to be transferred by this Subsection may be used  
19 for any purpose for which the other monies in the criminal court fund of the Eighth  
20 Judicial District Court may be used. No money obligated to be paid to any officer

1           or agency for an off-duty law enforcement court appearance shall be considered  
2           surplus monies pursuant to this Subsection.

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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)]

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HB 39 Original

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McFarland

**Abstract:** Requires any surplus witness fees collected by the 8<sup>th</sup> Judicial District which exceeds \$5,000 to be transferred to the criminal court fund.

Present law provides for witness fees for off-duty law enforcement officers to be paid from the costs of court collected in individual cases tried in district or parish courts. The judge or judges of court for the judicial district shall adopt a schedule of costs to be applicable in each case before that court to which such costs are applicable. The costs shall be placed in special funds to be maintained by the proper governing authorities and used to pay witness fees.

Proposed law requires surplus money in excess of \$5,000 in the special account in the 8<sup>th</sup> JDC to be transferred to the criminal court fund. The transferred money may be used for any purpose for which the other monies in the criminal court fund for the 8<sup>th</sup> Judicial District may be used.

(Adds R.S. 15:255(V))