

2019 Regular Session

HOUSE BILL NO. 502

BY REPRESENTATIVE EDMONDS

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

COURTS/FAMILY: Provides relative to the collection and distribution of court costs by the clerk of court for the Nineteenth Judicial District

1 AN ACT

2 To amend and reenact R.S. 13:996.3(B) and to enact R.S. 46:2134(H), relative to the  
3 collection and distribution of court costs by the clerk of court for the Nineteenth  
4 Judicial District; to provide for distribution of costs into the judicial expense fund for  
5 the Family Court for the parish of East Baton Rouge; to authorize the inspection of  
6 records; to require the distribution of reimbursed expenses; to authorize the  
7 collection of installment payments; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 13:996.3(B) is hereby amended and reenacted to read as follows:

10 §996.3. Judicial expense fund for the Family Court for the parish of East Baton  
11 Rouge; established; disbursements

12 \* \* \*

13 B. (1) Notwithstanding any other provision of law to the contrary, prior to  
14 distributing funds to any other account, The the clerk of court shall each month place  
15 all sums collected or received under this Section in a separate account to be  
16 designated as the Judicial Expense Fund for the Family Court for the parish of East  
17 Baton Rouge and submit to the Family Court for the parish of East Baton Rouge a  
18 full accounting of all fees distributed into the fund. The judges, en banc, of the  
19 Family Court for the parish of East Baton Rouge shall have control over the fund and  
20 all disbursements made therefrom. They shall cause to be conducted annually an

1 audit of the fund and the books and accounts relating thereto, and shall file the same  
2 with the office of the legislative auditor, where it shall be available for public  
3 inspection.

4 (2) The judges, en banc, of the Family Court for the parish of East Baton  
5 Rouge may cause to be conducted inspections of the clerk of court's books and  
6 records regarding the collection and receipt of all sums under this Section.

7 (3) The clerk of court shall place in the Judicial Expense Fund for the Family  
8 Court for the parish of East Baton Rouge reimbursement for any administrative  
9 expenses incurred by the Family Court for the Parish of East Baton Rouge associated  
10 with proceedings conducted pursuant to R.S. 46:2134.

11 Section 2. R.S. 46:2134(H) is hereby enacted to read as follows:

12 §2134. Petition; court costs

13 \* \* \*

14 H. The clerk of court of the Nineteenth Judicial District may collect  
15 installment payments for costs associated with the filing of the petition or the  
16 issuance of a temporary restraining order or protective order pursuant to R.S.  
17 46:2134.

18 Section 3. This Act shall become effective upon signature by the governor or, if not  
19 signed by the governor, upon expiration of the time for bills to become law without signature  
20 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
21 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
22 effective on the day following such approval.

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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 502 Original

2019 Regular Session

Edmonds

**Abstract:** Requires the clerk of court of the 19<sup>th</sup> Judicial District to distribute funds to the Judicial Expense Fund for the Family Court for the parish of East Baton Rouge on a monthly basis with a full accounting and reimburse the Court for expenses incurred in association with domestic violence cases. Authorizes the Court to inspect the

clerk's records. Authorizes the clerk to collect costs in domestic violence cases in installments.

Present law (R.S. 13:996.3) provides that for all cases on the docket of the Family Court for the parish of East Baton Rouge, the clerk of court of the 19<sup>th</sup> Judicial District shall collect a fee of up to \$25 to be payable to the Family Court. The clerk shall place such sums collected or received in a Judicial Expense Fund for the Family Court.

Proposed law requires the clerk of court to distribute those funds once a month prior to the distribution of funds to any other account and provide an accounting of all funds distributed.

Present law (R.S. 46:2134) provides that a petitioner shall not be required to prepay or be cast with court costs or the cost of service or subpoena for the filing of the petition or the issuance of a temporary restraining order or protective order in domestic violence cases.

Proposed law authorizes the clerk of court of the 19<sup>th</sup> Judicial District to collect installment payments for such costs.

Proposed law further requires the clerk to reimburse any administrative expenses incurred by the Family Court for the Parish of East Baton Rouge associated with domestic violence cases.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 13:996.3(B); Adds R.S. 46:2134(H))