
DIGEST

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HB 308 Original

2021 Regular Session

Bryant

Abstract: Provides that restitution shall not be forgiven in certain instances, removes the ability to reduce the balance of unpaid restitution to a civil money judgment, and removes the defendant's liability for costs in certain instances.

Present law provides that a defendant's outstanding financial obligation is forgiven and considered paid in full when the defendant has made consistent monthly payments for either twelve consecutive months or consistent monthly payments for half of the term of supervision.

Proposed law provides that restitution shall not be forgiven under present law.

Present law provides that if the defendant has a balance of unpaid restitution at the end of the defendant's term of supervision, the unpaid restitution shall be reduced to a civil money judgement in favor of the person to whom the restitution is owed.

Present law also provides that present law shall apply only to defendants convicted of felonies.

Present law further provides that a defendant convicted of an offense or is the person owing a duty of support in a support proceeding shall be liable for all costs of prosecution and proceeding and present law specifies that the defendant is not liable for costs if the defendant has been acquitted.

Present law allows judges of any court within the state to suspend court costs.

Proposed law repeals present law.

(Amends C.Cr.P. Art. 875.1(E); Repeals C.Cr.P. Arts. 875.1(F) and (G) and 887(A))