

2021 Regular Session

HOUSE BILL NO. 215

BY REPRESENTATIVE COX

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

COURTS/COURT COSTS: Provides relative to fees for services by constables and marshals

1 AN ACT

2 To amend and reenact R.S. 13:5807.1(A)(introductory paragraph) and to repeal R.S.
3 13:5807.1(A)(15)(b) and (D), relative to certain costs and fees for services by
4 marshals and constables; to provide relative to the fees of office of city marshals and
5 constables; to provide for effectiveness of a prior act of the legislature; to provide for
6 an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:5807.1 is hereby amended and reenacted to read as follows:

9 §5807.1. Fees and costs; particular city marshals

10 A. Notwithstanding the provisions of R.S. 13:5807, ~~the marshal of the city~~
11 ~~of Natchitoches~~, the marshal of the city of Minden, the marshal of the city of
12 Springhill, the marshal of the city of Franklin, and the marshal of the city of
13 Winnfield shall each be entitled to the following fees of office and no more in civil
14 matters:

15 * * *

16 Section 2. R.S. 13:5807.1(A)(15)(b) and (D) are hereby repealed in their entirety.

17 Section 3. It is the intent of the legislature that the changes enacted by Act No. 63
18 of the 2020 Regular Session of the Legislature shall never go into effect and that the
19 provisions of this Act shall control. Therefore, the provisions of Act No. 63 of the 2020
20 Regular Session shall not become effective.

1 Section 4. This Act shall become effective upon signature by the governor or, if not
 2 signed by the governor, upon expiration of the time for bills to become law without signature
 3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 5 effective on the day following such approval.

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)]

HB 215 Engrossed

2021 Regular Session

Cox

Abstract: Places the marshal of the city of Natchitoches within the general fee schedules of marshals and constables (R.S. 13:5807) by removing the authority of the city marshal and constables of the city of Natchitoches to collect certain fees and costs under a separate authority (R.S. 13:5807.1).

Present law (R.S. 13:5807.1) authorizes the marshal of the city of Natchitoches to charge not less than \$10 but not more than \$20 for each service rendered in civil matters.

Present law (R.S. 13:5807(B)) provides that 60% of the fees collected pursuant to present law shall be deposited in the equipment and training fund used to assist in the purchasing or updating of necessary equipment and officer training of constables and marshals.

Proposed law places the marshal of the city of Natchitoches within the general fee schedules of marshals and constables (R.S. 13:5807) by removing the authority of the city marshal and constables of the city of Natchitoches to collect certain fees and costs under a separate authority (R.S. 13:5807.1).

The provisions of Act No. 63 of the 2020 R.S. increase the fee charged by the city marshal of Natchitoches for services from \$20 to \$30, and require all service fees collected to be deposited in the marshal's training and equipment fund to assist in the purchasing or updating of equipment and officer training. The imposition of the court fees pursuant to Act No. 63 is subject to approval by the Judicial Council.

Proposed law provides that the provisions of Act No. 63 of the 2020 R.S. shall not go into effect.

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

(Amends R.S. 13:5807.1(A)(intro. para.); Repeals R.S. 13:5807.1(A)(15)(b) and (D))

Summary of Amendments Adopted by House

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

1. Repeal R.S. 13:5897(A)(15)(b).