

2021 Regular Session

HOUSE BILL NO. 297

BY REPRESENTATIVE TARVER

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

COURTS/MAYORS: Provides relative to mayor's courts providing notice

1 AN ACT

2 To enact R.S. 32:57.1(D), relative to mayor's courts; to provide for requirements for
3 providing notice relative to the operation of a motor vehicle; to provide for payment
4 of fees for erroneous violations; to provide for penalties for erroneous violations; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:57.1(D) is hereby enacted to read as follows:

8 §57.1. Failure to honor written promise to appear; penalty; disposition of fines

9 * * *

10 D.(1) Whenever a written promise to appear before a mayor's court relates
11 to the operation of a motor vehicle in alleged violation of municipal ordinance, the
12 mayor's court shall mail a notice to the address on the defendant's Louisiana
13 operator's license at least twenty days prior to any submission pursuant to Subsection
14 A of this Section to suspend the operator's license. This notice may be sent by
15 regular mail and a contemporaneous scan or copy of the envelope with postage
16 affixed may be retained as proof of mailing.

17 (2) If a mayor's court is adjudged to have erroneously submitted violations
18 that were previously resolved by full payment or dismissal, the court shall be
19 responsible for any fees due to the department pursuant to this Section.

1 (3) If a mayor's court is adjudged by a court of competent jurisdiction to
2 have erroneously submitted violations as provided by Paragraph (2) of this
3 Subsection on five or more occasions in a twelve-month period, or to have violated
4 this Subsection on five or more occasions in a twelve-month period, the court shall
5 not be eligible to submit notices pursuant to this Subsection for a period of twelve
6 months.

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 297 Reengrossed

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Abstract: Provides requirements for notice to be sent by a mayor's court relative to the operation of motor vehicles, requires a mayor's court to pay any fees due for erroneous violations, and provides for penalties for erroneously submitted violations.

Proposed law requires a mayor's court to mail a notice to the address on the defendant's Louisiana operator's license at least 20 days prior to any submission pursuant to present law to suspend the operator's license.

Proposed law requires a mayor's court to pay any fees due to the department for an erroneously submitted violation.

Proposed law provides that a mayor's court's ability to submit notices shall be revoked for a period of 12 months upon submission of 5 or more erroneous violations in a 12-month period.

(Adds R.S. 32:57.1(D))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Make technical changes.