SLS 22RS-100 **ORIGINAL**

2022 Regular Session

SENATE BILL NO. 216

BY SENATOR JACKSON

COURTS. Provides for the transfer and deposit of monies from the witness fee fund to the operating fund of the Bastrop City Court for operating expenses of the court. (gov sig)

AN ACT

To enact R.S. 15:255(X), relative to compulsory process of certain courts; to provide for the witness fee fund for the Bastrop City Court; to provide for excess funds to be used for operating expenses; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

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

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

* * *

X. Notwithstanding any provision of law to the contrary, on January first of each year, the amount of money in the witness fee fund for the City Court of Bastrop that exceeds five thousand dollars shall be transferred to the operating fund of the city of Bastrop to be used solely for the operating expenses of the court. For the purposes of this Subsection, the balance of five thousand dollars required to be kept in the witness fee fund shall mean five thousand dollars in unexpended and unencumbered funds, and under no circumstances shall the balance in the witness fee fund be reduced below five thousand dollars as a result of a transfer made pursuant to the provisions of this Subsection.

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

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

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alan Miller.

DIGEST

SB 216 Original 2022 Regular Session Jackson

Present law provides that each law enforcement officer who, because of his official connections with any criminal case being tried in the city court or mayor's court, as the arresting officer or in some other official capacity, is required to be present as a witness in the case during any time when he is otherwise not required to report to work or perform the duties of his office shall be paid the sum of $50 for each day per case for which his presence in the court is required and for which he is present.

Present law requires witness fees for these off-duty law enforcement officers to be paid from court costs assessed and collected in individual cases in which there is a plea of guilty or a conviction, in accordance with a schedule of costs adopted by the judge or judges of the city court or mayor's court, provided that in a mayor's court, the cost assessed for such purpose for any person who pleads guilty or is convicted in an individual case shall not exceed $50, with the costs collected to be placed in a special fund maintained and administered by the governing authority and from which the governing authority pays the witness fees.

Proposed law requires the witness fee fund for the City Court of Bastrop to maintain a balance of $5,000.

Proposed law requires that on January first of each year, the amount of money in the witness fee fund for the City Court of Bastrop that exceeds $5,000 be transferred to the operating fund of the city of Bastrop to be used solely for the operating expenses of the court.

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

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

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