
DIGEST

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HB 485 Original

2022 Regular Session

Marcelle

Abstract: Excludes certain criminal fines, fees, and costs from the additional costs assessed by the office of debt recovery when a debt becomes delinquent.

Present law establishes the office of debt recovery (office) within the Department of Revenue (DOR) for the purpose of collecting taxes payable to DOR and to collect certain delinquent debts on behalf of other state agencies.

Present law provides that agencies that do not have a collection contract with the attorney general's office for the collection of delinquent debts shall refer all delinquent debts to the office.

Present law provides that once a debt becomes final, prior to referral to the office, the agency imposing the debt shall notify the debtor that failure to pay the debt within 60 days shall subject the debt to additional collection fees as provided in present law.

Proposed law provides that any debt that originates from a criminal fine, fee, or cost shall not be subject to any additional collection fees.

Present law provides that at the discretion of the secretary of DOR, DOR may contract with the attorney general's office or a third-party collection contractor for the collection of delinquent debt on behalf of the office. Further provides that any contract entered into with a third-party collector shall be subject to review by the Cash Management Review Board and the legislative auditor shall have authority to conduct audits of such contracts in accordance with present law.

Proposed law repeals present law.

Present law authorizes the office to charge the debtor a fee not to exceed 25% of the total delinquent debt liability which becomes final.

Proposed law provides that the fee shall not apply to any debt that originated as a criminal fine, fee, or cost.

(Amends R.S. 47:1676(C)(2)(a) and (3), (E), and (G)(1) and (4); Repeals R.S. 47:1676(C)(4))