

2022 Regular Session

HOUSE BILL NO. 840

BY REPRESENTATIVES BAGLEY, ECHOLS, PRESSLY, SEABAUGH, AND TURNER
AND SENATORS MILLIGAN AND PEACOCK

DISTRICT ATTORNEYS: Provides relative to disbursement of fees for pretrial programs

1 AN ACT

2 To amend and reenact R.S. 16:17(E), relative to pretrial diversion or intervention programs;
3 to provide relative to the assessment of a reasonable fee; to provide for the collection
4 of such fee; to provide for the disbursement of the proceeds of such fee; to provide
5 for the duties of the sheriff; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 16:17(E) is hereby amended and reenacted to read as follows:

8 §17. Victims assistance program; ~~creation~~

9 * * *

10 E. The district attorney may assess ~~and collect~~ a reasonable fee from
11 participants in pretrial diversion or pretrial intervention programs ~~to support and~~
12 ~~maintain victims assistance and/or diversionary programs.~~ The participant shall pay
13 the fee to the sheriff and the sheriff shall disburse the proceeds of the fee as follows:

- 14 (1) Twenty-four percent to the office of the district attorney.
- 15 (2) Eighteen percent to the criminal court fund as provided in R.S.
16 15:571.11.
- 17 (3) Eighteen percent to the office of the district public defender.
- 18 (4) Thirteen percent to the criminalistics laboratory which performs the
19 majority of crime lab services for the district.
- 20 (5) Eight percent to the sheriff's general fund.

1 (6) Five percent to the juvenile detention facility that serves the juveniles of
2 that district.

3 (7) Four percent to the clerk of court.

4 (8) Four percent to the judicial expense fund as provided in R.S. 13:991 et
5 seq.

6 (9) Three percent to the juror compensation fund as provided in R.S. 13:3049
7 and 3049.1.

8 (10) Three percent to the witness fee fund as provided in R.S. 15:255.

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 840 Original

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Bagley

Abstract: Requires the disbursement of a reasonable fee for participation in pretrial programs to specific entities.

Present law authorizes a district attorney to assess and collect a reasonable fee from participants in pretrial diversion or pretrial intervention programs.

Proposed law removes the district attorney's authorization to collect the fee.

Present law provides that such fees are to be used to support and maintain victims assistance programs, diversionary programs, or both.

Proposed law repeals present law and instead provides that the participant shall pay the fee to the sheriff and the sheriff shall disburse the proceeds of the fee as follows:

- (1) 24% to the office of the district attorney.
- (2) 18% to the criminal court fund.
- (3) 18% to the office of the district public defender.
- (4) 13% to the criminalistics laboratory which performs the majority of crime lab services for the district.
- (5) 8% to the sheriff's general fund.
- (6) 5% to the juvenile detention facility that fund.
- (7) 4% to the clerk of court.
- (8) 4% to the judicial expense fund.
- (9) 3% to the juror compensation fund.
- (10) 3% to the witness fee fund.

(Amends R.S. 16:17(E))