

2022 Regular Session

HOUSE BILL NO. 485

BY REPRESENTATIVE MARCELLE

REVENUE DEPARTMENT: Provides relative to the collection of certain criminal fines, fees, and costs

1 AN ACT

2 To amend and reenact R.S. 47:1676(C)(2)(a), (E), and (G)(1) and (4), relative to debt  
3 recovery; to limit the additional fees assessed by the office of debt recovery assessed  
4 on the collection of criminal fines, fees, and costs; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 47:1676(C)(2)(a), (E), and (G)(1) and (4) are hereby amended and  
7 reenacted to read as follows:

8 §1676. Debt recovery

9 \* \* \*

10 C.

11 \* \* \*

12 (2)(a) Agencies that do not have collection contracts with the attorney  
13 general's office for the collection of delinquent debts shall refer all delinquent debts  
14 to the office as provided by rule. Such referrals shall include data and information  
15 in the required format necessary to institute collection procedures. All delinquent  
16 debts shall be authenticated by the agency or officer prior to being referred to the  
17 office. Once the debt becomes final, and prior to referral to the office, the agency  
18 shall notify the debtor that failure to pay the debt in full within sixty days shall  
19 subject the debt to an additional collection fee as provided for in this Section.  
20 However, the additional collection fee authorized by this Section for any debt that





have a collection contract with the attorney general's office for the collection of delinquent debts to 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.

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 retains present law but limits the additional fee that may be collected by the office for any debt that originates from a criminal fine, fee, or cost to no more than 10% of the total liability of the final debt.

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

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Ways and Means to the original bill:

1. Delete provisions of proposed law that exempt debt that originates from a criminal fine, fee, or cost from additional collection fees by the office.
2. Limit the additional collection fee authorized by present law for any debt that originated from a criminal fine, fee, or cost to no more than 10% of the total liability of the final debt.
3. Remove proposed law repeal of present law provisions authorizing the secretary of DOR to contract with the attorney general's office or a third-party collection contractor for the collection of delinquent debt on behalf of the office.
4. Remove proposed law repeal of present law provisions requiring any contract entered into with a third-party collector to be subject to review by the Cash Management Review Board and authority for the legislative auditor to conduct audits of these contracts.

#### The House Floor Amendments to the engrossed bill:

1. Delete outdated provisions in present law which reference appropriations of monies collected for delinquent debt for Fiscal Year 2013-2014 through Fiscal Year 2016-2017.