



**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**

Fiscal Note On: **HB 407** HLS 11RS 285  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> April 26, 2011 7:54 AM	<b>Author:</b> WHITE
<b>Dept./Agy.:</b> Judiciary	<b>Analyst:</b> Matthew LaBruyere
<b>Subject:</b> Judicial Building Fund	

COURTS/DISTRICT OR +\$1,366,860 LF RV See Note Page 1 of 1  
 Establishes a judicial building fund for the construction of a new courthouse in the Twenty-First Judicial District Court in Livingston Parish

Proposed legislation provides that for cases filed in the 21st JDC, in the jurisdiction of Livingston Parish, the Livingston Parish Clerk of Court will impose and collect the following: (1) \$100 per initial filing of a civil suit; (2) \$10 per filing of each additional pleading; (3) \$20 for the recordation of documents. Proposed legislation provides that these charges shall be in addition to other civil filing fees levied and collected by the Livingston Parish Clerk of Court. Proposed legislation provides that monies generated by proposed law be held by the Livingston Parish Clerk of Court, remitted at least monthly to the Dept. of Finance for the parish, and deposited into the Livingston Parish Courthouse Fund. Proposed legislation provides for the purpose and use of the fund. Proposed legislation provides procedures regarding the use of surplus funds and authorizes the reduction of the filing charges and recordation fees; and authorizes the use of cooperative endeavor agreements in conjunction with the design, construction, renovation, equipping, operation, and maintenance of the new Livingston Parish courthouse.

EXPENDITURES	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

  

REVENUES	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$1,366,860</u>	<u>\$1,366,860</u>	<u>\$1,366,860</u>	<u>\$1,366,860</u>	<u>\$1,366,860</u>	<b>\$6,834,300</b>
<b>Annual Total</b>	<b>\$1,366,860</b>	<b>\$1,366,860</b>	<b>\$1,366,860</b>	<b>\$1,366,860</b>	<b>\$1,366,860</b>	<b>\$6,834,300</b>

**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on governmental expenditures as a result of this measure.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on state governmental revenues as a result of this measure.

The proposed legislation will result in an increase in local fund revenue for the collection of increased filing charges and filing fees. The filing charges will be increased by \$100 for initial filings of civil suits and \$10 for filing each additional pleading, which can include petitions, motions, orders, affidavits, etc. The filing fees will be increased by \$20 for recorded documents, which include mortgages, deeds, liens, conveyances, etc. According to the Livingston Parish Clerk of Court's office, the 5 year annual average for each charge and fee was used to determine the estimated revenue to be collected.

For initial filings, the 5 year annual average is 3,595, which would result in a total annual collection of \$359,500 (\$100 initial filing fee x 3,595 filings). For additional pleadings, the 5 year annual average is 44,938, which would result in a total annual collection of \$449,380 (\$10 additional pleadings fee x 44,938). The recordation of documents 5 year annual average is 27,899, which would result in a total annual collection of \$557,980 (\$20 document filing fee x 27,899).

The estimated annual collections for new filing charges and document fees is \$1,366,860 (\$359,500 initial filing fee + \$449,380 additional pleadings + \$557,980 recorded document fee). Each month, the monies collected by the clerk of court will be deposited into the Livingston Parish Courthouse Fund, handled by the parish Department of Finance. The monies in the fund can only be used for the design, acquisition, construction, renovation, equipping, operation, and maintenance of the new courthouse.

The current Livingston Parish Courthouse is approximately 55,000 square feet. The offices of the clerk of court, sheriff, and judges are housed within the courthouse along with 5 courtrooms. The Registrar of Voters, Assessor's Office, and District Attorney's office were previously housed in the courthouse, but relocated for more space.

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost

6.8(F) >= \$100,000 Annual SGF Cost

13.5.2 >= \$500,000 Annual Tax or Fee Change

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

*Evan Brasseaux*

**Evan Brasseaux**  
**Staff Director**