

Regular Session, 2011  
HOUSE BILL NO. 407

# ACT No. 20

BY REPRESENTATIVES WHITE AND POPE AND SENATOR ERDEY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To enact R.S. 13:996.68, relative to the Twenty-First Judicial District Court in Livingston  
3 Parish; to establish a judicial building fund; to provide for ownership and control of  
4 the fund; to provide for costs of court; to provide for a service charge per filing in  
5 civil matters; to provide for recordation fees; to provide for dedication, purposes, and  
6 disbursement of such funds; to provide for the reduction of fees in certain  
7 circumstances; to authorize cooperative endeavor agreements; and to provide for  
8 related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 13:996.68 is hereby enacted to read as follows:

11 §996.68. Judicial building fund; Twenty-First Judicial District

12 A.(1) Subject to the provisions of the Code of Civil Procedure Article 5181  
13 et seq., in all cases over which the Twenty-First Judicial District Court for the parish  
14 of Livingston has jurisdiction, the judges of the Twenty-First Judicial District Court,  
15 acting en banc, and the Livingston Parish Clerk of Court are hereby authorized to  
16 impose and collect the following costs of court and additional filing charges:

17 (a) A filing charge of one hundred dollars per filing which shall be paid to  
18 the Livingston Parish Clerk of Court when the initial filing of a civil suit is made.

19 (b) A filing charge of ten dollars upon the filing of each additional pleading  
20 in a civil matter which shall be paid to the Livingston Parish Clerk of Court when  
21 such filing is made. For purposes of this Subparagraph, additional pleadings shall  
22 include but are not limited to petitions, motions, orders, affidavits, judgments, rules,  
23 correspondence, citations, evidence, dismissals, depositions, writs, appeals, answers,  
24 and subpoenas.

1                   (2) The charges provided in this Section shall be in addition to other filing  
 2                   charges levied and collected by the Livingston Parish Clerk of Court for civil filings.

3                   (3) All such filing charges shall be imposed by the judges of the Twenty-  
 4                   First Judicial District Court acting en banc.

5                   B.(1) The judges of the Twenty-First Judicial District Court acting en banc  
 6                   and the Livingston Parish Clerk of Court are hereby authorized to impose and collect  
 7                   a filing fee of twenty dollars upon the recordation of documents and such fee shall  
 8                   be paid to the Livingston Parish Clerk of Court when the document is presented for  
 9                   recordation.

10                  (2) This filing fee shall be in addition to other filing fees levied and collected  
 11                  by the Livingston Parish Clerk of Court.

12                  (3) All such recordation fees shall be imposed by the judges of the Twenty-  
 13                  First Judicial District Court acting en banc.

14                  C. The monies generated pursuant to the provisions of this Section shall be  
 15                  held by the Livingston Parish Clerk of Court on behalf of the parish of Livingston  
 16                  and shall be remitted at least monthly by the Livingston Parish Clerk of Court  
 17                  directly to the Department of Finance for the parish of Livingston, and irrevocably  
 18                  deposited into the Livingston Parish Courthouse Fund dedicated exclusively to the  
 19                  design, acquisition, construction, renovation, equipping, operation, and maintenance  
 20                  of a new Livingston Parish courthouse to be located in the parish of Livingston, and  
 21                  for the payment of any bonds or other indebtedness on any such facilities.

22                  D.(1) Subject to the limitations provided in this Section, the Livingston  
 23                  Parish Council, as the governing authority of the parish of Livingston, shall have  
 24                  ownership and control over the Livingston Parish Courthouse Fund, and shall have  
 25                  the authority to pledge the Livingston Parish Courthouse Fund to bonds or other  
 26                  instruments of indebtedness issued by or on behalf of the parish of Livingston. The  
 27                  Livingston Parish Council shall have the authority to pay and disburse from the  
 28                  Livingston Parish Courthouse Fund all amounts necessary to pay and discharge any  
 29                  bonds or other instruments of indebtedness issued to pay for the construction of the  
 30                  new Livingston Parish courthouse.

1           (2) Any amounts in the Livingston Parish Courthouse Fund in addition to  
2           those funds necessary to pay and discharge any bonds or other instruments of  
3           indebtedness issued to pay for the construction of the new Livingston Parish  
4           courthouse may be expended for purposes of operating, maintaining, equipping, or  
5           furnishing the new Livingston Parish courthouse, or for additional new construction  
6           or renovations to the new Livingston Parish courthouse, but such additional surplus  
7           funds may be expended only by authority of the parish president of Livingston  
8           Parish, the chief judge of the Twenty-First Judicial District Court, and the Livingston  
9           Parish Clerk of Court, by majority vote.

10           E. Subject to the provisions of Subsection G of this Section, the judges of the  
11           Twenty-First Judicial District Court, acting en banc, may, as concurred by ordinance  
12           of the Livingston Parish Council, reduce the amount of filing charges and  
13           recordation fees provided for in this Section if the balance of sums on deposit in the  
14           Livingston Parish Courthouse Fund exceeds the requirements necessary for the new  
15           Livingston Parish courthouse, including but not limited to the payment of debt  
16           service on bonds or other indebtedness incurred in connection with the Livingston  
17           Parish courthouse.

18           F. For all matters pertaining to the filing charges and recordation fees  
19           imposed by the provisions of this Section, and those related to the Livingston Parish  
20           courthouse, the Livingston Parish Clerk of Court and the judges of the Twenty-First  
21           Judicial District Court, acting en banc, shall have the authority to enter into any  
22           cooperative endeavor agreement with the parish of Livingston in conjunction with  
23           the design, construction, renovation, equipping, operation, and maintenance of the  
24           new Livingston Parish courthouse.

25           G. Notwithstanding any provision of law in this Section to the contrary, the  
26           state and any political subdivision thereof, the Twenty-First Judicial District Court,  
27           the Livingston Parish Clerk of Court, the Livingston Parish Council, and the  
28           Louisiana Legislature covenant and agree with the parish of Livingston and the  
29           holders of any bonds or other indebtedness of the parish of Livingston issued in  
30           connection with the new Livingston Parish courthouse, that so long as such bonds

1           or other indebtedness shall remain outstanding, the state and any political  
2           subdivision thereof, the Twenty-First Judicial District Court, the Livingston Parish  
3           Clerk of Court, the Livingston Parish Council, and the Louisiana Legislature shall  
4           not in any way impair the rights and remedies of such holder of the security for such  
5           bonds or other indebtedness of the parish of Livingston issued in connection with the  
6           new Livingston Parish courthouse, until all such bonds or other indebtedness of the  
7           parish of Livingston are fully paid and discharged.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_