

Regular Session, 2013

SENATE BILL NO. 124

BY SENATOR MURRAY

COURTS. Increases certain fees and court costs levied by the Criminal District Court for the Parish of Orleans. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 13:1377(A) and 1381.4(A)(2), relative to courts and judicial
3 procedure; to provide relative to the Criminal District Court for the Parish of
4 Orleans; to provide relative to the imposition of certain fees and court costs; to
5 increase certain amounts; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:1377(A) and 1381.4(A)(2) are hereby amended and reenacted to
8 read as follows:

9 §1377. Court costs and clerk's fees

10 A. Any defendant, other than an indigent, who pleads guilty or is convicted
11 of an offense by the Criminal District Court for the Parish of Orleans shall be
12 assessed costs of court not to exceed the sum of ~~twenty-five~~ **one hundred** dollars,
13 such costs to be in addition to any fine, clerk's fees or sentence imposed by the court.

14 When any defendant, other than an indigent, fails to pay the costs referred to
15 hereinabove, he shall be sentenced to a term of thirty days in the parish prison in
16 default of the payment of same.

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~~F. Repealed by Acts 1975, No. 743, §9, eff. August 1, 1975.~~

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§1381.4. Judicial expense fund for Criminal District Court

A.(1) * * *

(2) In addition to all other fines, costs, or forfeitures lawfully imposed by this Section or any other provision, the court may impose an additional cost against any defendant who has been finally convicted of a misdemeanor, excluding traffic violations, or a felony. The additional costs authorized in this Paragraph shall not exceed ~~two hundred fifty~~ **five hundred** dollars in the case of a misdemeanor nor exceed two thousand **five hundred** dollars in the case of a felony. All such sums collected shall be transmitted to the judicial administrator for further disposition in accordance herewith.

* * *

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry G. Jones.

DIGEST

Present law relative to the Criminal District Court for the Parish of Orleans provides that any defendant, other than an indigent, who pleads guilty or is convicted of an offense by the court shall be assessed costs of court not to exceed the sum of \$25, such costs to be in addition to any fine, clerk's fees or sentence imposed by the court. When any defendant, other than an indigent, fails to pay such costs, he shall be sentenced to a term of thirty days in the parish prison in default of the payment of same.

Proposed law increases \$25 to \$100 and retains remainder of present law.

Present law also provides that in addition to other fines, costs, or forfeitures lawfully imposed, the court may impose an additional cost against any defendant who has been finally convicted of a misdemeanor, excluding traffic violations, or a felony. Such additional costs shall not exceed \$250 in the case of a misdemeanor nor exceed \$2000 in the case of a felony. All such sums collected shall be transmitted to the judicial administrator for disposition.

Proposed law increases \$250 to \$500, and \$2000 to \$2500, and retains remainder of present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 13:1377(A) and 1381.4(A)(2))