
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)]

James

HB No. 448

Abstract: Authorizes judges of city or municipal courts with specialized subject matter jurisdiction to assess certain fees for certain alcohol related violations.

Proposed law requires that in addition to any fines, forfeitures, costs, or penalties, a person convicted of a felony, misdemeanor, local ordinance, traffic felony, misdemeanor or violation, shall be assessed an additional court cost in any matter where the use of alcohol was a factor involved in the commission of a crime.

Proposed law provides that any court that designates by rule, divisions or sections of the court as a specialized division or section having subject matter jurisdiction for a drug court, driving while intoxicated court, sobriety court, or other specialized subject matter jurisdiction shall assess the following costs:

- (1) \$100 for violation of present law or of any municipal or parochial ordinance prohibiting the operation of a motor vehicle while under the influence of alcohol or drugs or underage driving under the influence.
- (2) \$100 for a violation of present law or of any municipal or parochial ordinance prohibiting the reckless operation of a motor vehicle.
- (3) \$50 for a violation of present law, or of any municipal or parochial ordinance prohibiting the contributing to delinquency of juveniles, improper supervision of a minor by parent or custodian or purchase, and public possession of alcoholic beverages by persons under the age of twenty-one years old.
- (4) \$25 for a violation of present law, or of any municipal or parochial ordinance prohibiting the unauthorized possession or consumption of alcoholic beverages on public school property or where public drinking, public possession of alcohol or appearing in an intoxicated condition in public, disturbing the peace, or vagrancy.
- (5) \$25 for a violation of present law, or of any municipal or parochial ordinance prohibiting the possession of open alcoholic beverage containers in vehicles.
- (6) \$25 for all other convictions of a misdemeanor, or any municipal or parochial ordinance, including a traffic felony, misdemeanor or a local traffic violation where the use of alcohol was a factor involved in the commission of the crime.

Proposed law authorizes any court that has a drug division, driving while intoxicated, or sobriety division, to use the fines provided for in proposed law for the development or maintenance of drug or alcohol treatment programs that are recognized or certified by the La. Supreme Court Drug Court Office, the National Highway Traffic Safety Administration, or the La. Highway Safety Commission.

Proposed law requires any court that collects fees pursuant to proposed law to deposit the monies into a special fund to be used solely for the funding of drug, alcohol, driving while intoxicated, or sobriety division and any related treatment programs and associated administrative expenses. In the event that an individual is unable to pay the cost when assessed, the court may allow payment to be deferred within a certain time frame, based on the person's ability to pay the costs.

(Adds R.S. 13:1894.2)