

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 62** SLS 13RS 37

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 8, 2013	4:35 PM	Author: MURRAY
Dept./Agy.:		Analyst: Travis McIlwain
Subject: Small Tutorship Procedure		

CIVIL PROCEDURE

OR SEE FISC NOTE LF RV

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Provides relative to small tutorship procedures. (gov sig)

Current law provides that a small tutorship is the tutorship of a minor whose property in LA has gross value of \$20,000 or less. Proposed law changes \$20,000 to \$50,000. Proposed law provides that the court may also dispense with the appointment of an undertutor. Current law provides that court costs in proceedings under the current law shall be 1/2 the court costs in similar proceedings in larger tutorships, provided the minimum costs in any case shall be \$5. Proposed law changes \$5 to \$100. Effective upon governor's signature.

EXPENDITURES	2013-14	2014-15	2015-16	2016-17	2017-18	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2013-14	2014-15	2015-16	2016-17	2017-18	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW					
Annual Total						

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure. A tutor is a person who has been lawfully appointed to the care of the person and property of a minor.

REVENUE EXPLANATION

This bill will result in an indeterminable impact to the fee collections of various clerks of courts around the state. This bill increases the small tutor threshold from \$20,000 to \$50,000, which will likely decrease the total amount of fees collected by the clerks of courts. However, this bill increases the minimum costs of fees from \$5 to \$100. Increasing the \$100 minimum will likely offset any decrease in filing fees collected. According to the LA Clerks of Court Association, the current filing fees in place are \$6 for the first page and \$4 for each additional page. Thus, the current \$5 minimum was rarely ever utilized.

For example, under current law a tutorship with a value of \$30,000 would be considered a large tutorship, which allows the clerk of court to collect the full amount of court costs. Proposed law increases the small tutorship threshold from \$20,000 to \$50,000, which results in the \$30,000 tutorship to be considered a small tutorship. The Code of Civil Procedure allows the clerk of court to only charge half of its court costs for small tutorships.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}		<input type="checkbox"/> 6.8(F) >= \$500,000 Annual Fiscal Cost {S}
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

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Staff Director