



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: HB 722 HLS 13RS 1861
Bill Text Version: ENGROSSED
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.: HB 313

Date: May 7, 2013 3:30 PM Author: HONORE
Dept./Agy.: Baton Rouge City Constable Analyst: Theresa Chatelain
Subject: Criminal Bond Fees

CRIMINAL/PROCEDURE EG +\$165,480 LF RV See Note Page 1 of 1
Provides for an additional fee to be assessed on criminal bonds posted in the city court of Baton Rouge

Purpose of Bill: This measure authorizes the Baton Rouge City Constable to assess and collect a \$35 fee for every criminal bond posted in the city court of Baton Rouge. This fee shall be in addition to any other fees or fines provided by law and shall be used to supplement the operational expenses of the Baton Rouge constable's office. The parish is responsible for funding the constable's office. If the prosecuting attorney declines to prosecute a person who paid this fee or the prosecution results in acquittal, dismissal, or granting of a motion to quash, the payee is entitled to a refund after submitting a request within thirty days of the final disposition of the case. The constable's office shall refund the fee within thirty days after receiving notice that the court granted the refund request.

Table with 7 columns: EXPENDITURES, 2013-14, 2014-15, 2015-16, 2016-17, 2017-18, 5 -YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

Table with 7 columns: REVENUES, 2013-14, 2014-15, 2015-16, 2016-17, 2017-18, 5 -YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

EXPENDITURE EXPLANATION

This measure will have no direct material effect on governmental expenditures.

REVENUE EXPLANATION

This measure may increase local fund revenues by \$165,480 per year.

Based on information provided by the Baton Rouge City Constable's Office, there was an average of 394 criminal bonds posted in the months of January, February, and March of 2013. Based on this information, the Baton Rouge Constable's Office revenues may increase by \$165,480 annually. Revenues indicated above may decrease if the prosecution of persons who pay this fee results in acquittal, dismissal, or granting of a motion to quash and the person requests a refund within 30 days. The impact of the refunds on local fund revenues is indeterminable.

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

Joy Irwin
Director of Advisory Services