

Regular Session, 2013

ACT No. 169

HOUSE BILL NO. 722 (Substitute for House Bill No. 313 by Representative Honore)

BY REPRESENTATIVE HONORE AND SENATOR BROOME

1 AN ACT

2 To enact R.S. 15:85.4, relative to posting of criminal bonds; to provide for an additional fee
3 to be assessed for criminal bonds posted in the city court of Baton Rouge; to provide
4 for collection of fees by the constable of the Baton Rouge City Court; to provide for
5 allocation of funds to the constable's fund; to provide for use of funds for the
6 operational expenses of the constable's office; to provide for a refund of the fee in
7 certain cases; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 15:85.4 is hereby enacted to read as follows:

10 §85.4. Posting of criminal bonds; Baton Rouge city constable's office; additional fee
11 assessed

12 A. An additional fee of thirty-five dollars shall be assessed for every criminal
13 bond posted in the city court of Baton Rouge. This fee shall be in addition to any
14 other fees or fines provided by law. Any person seeking release by means of a
15 criminal bond, or his designated representative, shall pay the fee to the constable for
16 the Baton Rouge City Court who shall deposit the funds in the constable's fund for
17 the city court of Baton Rouge.

18 B. The monies collected pursuant to the provisions of Subsection A of this
19 Section shall be used to supplement the operational expenses of the Baton Rouge
20 City constable's office. The expenditure of the funds shall be at the sole discretion
21 of the constable of the court.

22 C. If the prosecuting attorney declines to prosecute a person who has paid
23 this fee or the prosecution results in an acquittal, dismissal, or granting of a motion
24 to quash, then the person who paid the fee shall be entitled to a refund after

1 submitting a request for a refund of the fee to the city court within thirty days of the
 2 final disposition of the case. The constable's office shall refund the fee within thirty
 3 days after receiving notice of the court's order granting the request for a refund.

4 D. The assessment and disposition of any funds pursuant to this Section shall
 5 not affect the responsibilities of the city and parish governing authority provided by
 6 law for the financing of the constable's office of the city court of Baton Rouge.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____