

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 54 by Representative James

CRIMINAL/PROCEDURE: Authorizes the designation of specialized divisions or sections in city or municipal courts

Synopsis of Senate Amendments

1. Provides for technical amendments.
2. Prohibits additional fees, charges, or assessments from being required or charged to participate in certain specialized divisions of court or any related treatment programs.

Digest of Bill as Finally Passed by Senate

Proposed law requires that in addition to any fines, forfeitures, costs, or penalties, a person convicted of a felony, a misdemeanor, or a violation of a local ordinance, including a 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 an alcohol 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 21 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, 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 felony, 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 an alcohol, driving while intoxicated, or sobriety division to use the fines provided for in proposed law for the development or maintenance of 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 an alcohol, driving while intoxicated, or sobriety division and any related treatment programs and associated administrative expenses. Provides that no additional fees, charges, or assessments shall be required or charged to participate in such programs. 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)