

2016 Regular Session

HOUSE BILL NO. 1123

BY REPRESENTATIVE ROBERT JOHNSON

DISTRICT ATTORNEYS: Provides for the assessment of a fee for diversion cases in the 12th JDC

1 AN ACT

2 To enact R.S. 16:16.4, relative to court fees; to provide for the collection of fees associated
3 with the pretrial diversion program in the Twelfth Judicial District Court; to provide
4 for the use of such fees; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 16:16.4 is hereby enacted to read as follows:

7 §16.4. District attorney's pretrial diversion program fee; Twelfth Judicial District

8 A. Notwithstanding any other provision of law to the contrary, in addition
9 to any other fine or court cost imposed or authorized by law, the district attorney in
10 the parish of Avoyelles shall assess and collect a reasonable fee for each criminal
11 case referred to a pretrial diversion program over which the district attorney of the
12 Twelfth Judicial District has jurisdiction.

13 B. The amount of the fee shall be paid by each defendant enrolled in a
14 pretrial diversion program pursuant to a schedule of fees submitted, en banc, by the
15 judges of the Twelfth Judicial District Court to the district attorney of Avoyelles
16 Parish and shall not reduce any statutory minimum court costs, fees, or fines
17 otherwise imposed by law.

18 C. All funds collected pursuant to this Section shall be remitted to the
19 Criminal Court Fund of the Twelfth Judicial District upon collection and shall be

1 used to defray expenses related to the costs of criminal proceedings in the Twelfth
2 Judicial District Court.

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)]

HB 1123 Original

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Robert Johnson

Abstract: Provides for an assessment of a fee for all cases referred to a pretrial diversion program in the 12th Judicial District Court for the criminal court fund.

Proposed law requires the district attorney in the 12th Judicial District Court to assess a reasonable fee for all cases referred to a pretrial diversion program to be remitted to the criminal court fund of the 12th Judicial District upon collection.

Proposed law provides that the fee amount shall be imposed by a schedule of fees agreed upon by the 12th JDC judges and shall not reduce any minimum court costs, fees, or fines imposed by present law.

Proposed law requires that the fees collected are to be deposited in the Criminal Court fund of the 12th JDC to defer the cost of criminal proceedings.

(Adds R.S. 16:16.4)