

ACT No. 305

2015 Regular Session

HOUSE BILL NO. 209

BY REPRESENTATIVE TERRY LANDRY

1 AN ACT

2 To amend and reenact R.S. 40:2266.1(B)(1) and (2) and 2266.1.1(A)(1) and to repeal R.S.
3 40:2266.1(B)(6), relative to criminalistics laboratory commissions; to provide
4 relative to the assessment of certain court costs and fees in parishes participating in
5 a criminalistics laboratory commission; to provide for effectiveness; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:2266.1(B)(1) and (2) and 2266.1.1(A)(1) are hereby amended and
9 reenacted to read as follows:

10 §2266.1. Optional revenues; collection, handling, and disbursement thereof

11 * * *

12 B.(1) In all criminal cases prosecuted under state statutes, parish ordinances,
13 or city ordinances in any mayor's, city, parish, or district court of the state of
14 Louisiana ~~sitting~~ located within a parish which, upon approval of the governing body
15 of such parish, is or hereafter becomes a part of a criminalistics laboratory
16 commission or of a sheriff's criminalistics laboratory as ~~now or as hereafter~~
17 established by a legislative act, except in the city courts of the parish of Jefferson
18 where taxation of the following costs shall be optional, there shall be taxed as costs
19 against every defendant who is convicted after trial, or who enters a plea of guilty or
20 of nolo contendere, or who forfeits his bond, a sum in accordance with the following
21 schedule:

22 (a) Operating a vehicle while intoxicated and drug offenses--fifty dollars.

1 (b) Crimes defined in Title 14 of the Louisiana Revised Statutes of 1950--
2 ten dollars.

3 (c) ~~Violations~~ Except as provided in Paragraph (2) of this Subsection,
4 violations of the provisions of Title 32 of the Louisiana Revised Statutes of 1950, or
5 of city or parish traffic ordinances--~~ten~~ thirty dollars.

6 (2) ~~No sums, as provided for in Paragraph (1) hereof,~~ Notwithstanding any
7 provision of law to the contrary, a sum of ten dollars shall be charged or collected
8 in the following cases:

- 9 (a) Operating a vehicle with an expired inspection sticker.
- 10 (b) Operating a vehicle with an expired driver's license.
- 11 (c) Operating a vehicle without a driver's license upon one's person.
- 12 (d) Improper use of a safety belt in violation of R.S. 32:295.1.
- 13 (e) The commission of any offense defined in Title 56 of the Louisiana
14 Revised Statutes of 1950.

15 * * *

16 §2266.1.1. Fees and costs of court

17 A.(1) In all criminal cases prosecuted under state statutes, parish ordinances,
18 or city ordinances in any mayor's, city, or district court of the state of Louisiana
19 ~~sitting~~ located within a parish which is now, or hereafter becomes, a part of the
20 Acadiana Criminalistics Laboratory Commission, the North Louisiana Criminalistics
21 Laboratory Commission, the Southeast Louisiana Regional Criminalistics Laboratory
22 Commission, and any other criminalistics laboratory commission or of a sheriff's
23 criminalistics laboratory as ~~now or hereafter~~ established by legislative act, there shall
24 be assessed by the court, in addition to and separate from other costs, against every
25 defendant who is convicted after trial, or who enters a plea of guilty or of nolo
26 contendere, or who forfeits his bond, a fee in accordance with the following
27 schedule:

- 28 (a) Crimes which are misdemeanor offenses, except a violation of any
29 provision of Title 32 or Title 56 of the Louisiana Revised Statutes of 1950 or a
30 violation of any city or parish traffic ordinance, fifty dollars.

1 (b) Crimes which are felony offenses, one hundred fifty dollars.

2 (c) A fee not to exceed one thousand dollars, as reimbursement to the
3 commission if laboratory personnel performed a scientific test of any evidence seized
4 pursuant to the investigation or prosecution of a violation. The commission may
5 establish a schedule stating the estimated cost of performing the test which shall be
6 used by the court in determining the amount of the fees.

7 * * *

8 Section 2. R.S. 40:2266.1(B)(6) is hereby repealed in its entirety.

9 Section 3. The provisions of this Act shall become effective upon the approval of
10 the Judicial Council of the Supreme Court of Louisiana as provided by R.S. 13:62 which
11 requires any new court cost or fee or any increase in an existing court cost or fee to be
12 submitted to the Judicial Council of the Supreme Court of Louisiana for review.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____