SLS 12RS-549 ENGROSSED

Regular Session, 2012

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SENATE BILL NO. 266

BY SENATOR MORRELL

PROBATION/PAROLE. Provides relative to the assessment and collection of certain parole, probation and supervision fees. (8/1/12)

AN ACT

2	To amend and reenact Code of Criminal Procedure Art. 895.1(C), relative to the division of
3	probation and parole; to amend provisions relative to monetary assessments imposed
4	as conditions of probation or parole; to require probation supervision fees to be
5	collected from a defendant under certain conditions; and to provide for related
6	matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. Code of Criminal Procedure Art. 895.1(C) is hereby amended and
9	reenacted to read as follows:
10	Art. 895.1. Probation; restitution; judgment for restitution; fees
11	* * *
12	C. When the court places the defendant on supervised probation, it shall order
13	as a condition of probation a monthly fee of not less than sixty nor more than one
14	hundred ten dollars payable to the Department of Public Safety and Corrections or
15	such other probation office, agency, or officer as designated by the court, to defray
16	the cost of supervision. If supervision fees are not ordered and the defendant is

supervised by the Department of Public Safety and Corrections, the Department

shall collect the minimum fee of sixty dollars from the defendant. If the probation supervision services are rendered by an agency other than the department, the fee may be ordered payable to that agency. These fees are only to supplement the level of funds that would ordinarily be available from regular state appropriations or any other source of funding.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cathy R. Wells.

## **DIGEST**

Morrell (SB 266)

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<u>Present law</u> provides for the assessment of certain fees imposed as a condition of probation and parole to be collected by DPS&C, division of probation and parole.

<u>Present law</u> requires courts to assess a monthly supervision fee not less than \$60 nor more than \$100 to defray the cost of defendants placed in supervised probation.

<u>Proposed law</u> requires DPS&C to collect a minimum fee of \$60 from defendants placed on probation if the defendant is supervised by DPS&C, even if no supervision fees are ordered by the court.

Effective August 1, 2012.

(Amends C.Cr.P Art. 895.1(C))