

Regular Session, 2014

SENATE BILL NO. 40

BY SENATOR CORTEZ

COURTS. Provides relative to certain court costs in the City Court of Lafayette. (8/1/14)

1 AN ACT

2 To enact R.S. 13:1899(C)(11), relative to courts and judicial procedure; to provide relative
3 to the assessment and disposition of certain costs by courts in criminal and juvenile
4 matters; to provide certain limitations; to provide relative to the City Court of
5 Lafayette; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:1899(C)(11) is hereby enacted to read as follows:

8 §1899. Assessment and disposition of costs in criminal cases; costs in juvenile
9 matters for specified courts

10 * * *

11 C. In all criminal matters, when the office of the marshal has derived one
12 hundred thousand dollars or more in revenues for the year 2004 from costs assessed
13 pursuant to this Subsection, the city judge shall assess, in addition to the costs
14 assessed in Subsection A, the sum of fifteen dollars as additional costs of court. In
15 all criminal matters, when the office of the marshal has derived less than one
16 hundred thousand dollars in revenues for the year 2004 from costs assessed pursuant
17 to this Subsection, the city judge shall assess, in addition to the costs assessed in

1 Subsection A, the sum of thirty dollars as additional costs of court. The proceeds
 2 shall be deposited in a special account, separate and distinct from the account
 3 provided for in Subsection B of this Section, which account shall be in the name of
 4 and under the control of the marshal or constable of the court, shall be subject to
 5 audit, and shall be used to defray operational expenses of the office of marshal or
 6 constable of the court, all as may be useful and necessary for the proper conduct of
 7 the marshal's or constable's office, or for purchase of law enforcement equipment,
 8 and all as may be proved by the marshal or constable. The city judges of any and all
 9 parishes and the mayor's court in the town of Many in Sabine Parish shall be
 10 authorized to assess such sum in accordance with this Section. Assessments in
 11 particular courts are governed by the following:

12 * * *

13 **(11) The additional costs provided for in this Subsection shall not exceed**
 14 **thirty dollars in the City Court of Lafayette.**

15 * * *

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Julie J. Baxter.

DIGEST

Cortez (SB 40)

Present law provides relative to city courts in general that, in all criminal matters, in addition to the fine or other penalty which may be legally imposed against every defendant who is convicted after trial or after a plea of guilty or who forfeits his bond, the judge may assess costs of court in an amount not to exceed \$30. Present law provides that the proceeds derived from those \$30 assessments shall be placed in a special account to be used for the operational expenses of the court, or for payment of clerical fees or for other similar expenses as may be approved by the judge.

Present law further provides that, when the office of the marshal has derived \$100,000 or more in revenues for the year 2004 from the proceeds of those \$30 assessments, then in addition to those assessments, in all criminal matters the city judge shall assess \$15 as additional court costs. When the office of the marshal has derived less than \$100,000 in revenues for the year 2004 from the proceeds of those \$30 assessments, then in addition to those \$30 assessments, the city judge shall assess \$30 as additional court costs. Present law provides that the proceeds from these additional assessments shall be deposited in a special account, separate and distinct from the \$30 assessments placed into an account for the operational expenses of the court or clerical fees, and these additional assessments shall be used to defray operational expenses of the office of marshal or constable of the court, or for purchase of law enforcement equipment, and all as may be proved by the marshal or constable.

Present law further provides that the city judges of any and all parishes and the mayor's court in the town of Many in Sabine Parish shall be authorized to assess such assessments.

Present law further provides that assessments in particular courts are governed by certain limitations, including that the additional costs provided for in present law (i.e. the extra \$15 or \$30 assessment allowed to be assessed by the city court judge to provide for the expenses of the marshal or constable's office) shall not exceed \$30 in the City Court of Houma, the City Court of Ruston, the City Court of Minden, the City Court of Springhill, the City Court of Hammond, the City Court of Bastrop, the City Court of West Monroe, the City Court of Monroe, the City Court of Denham Springs and the City Court of Alexandria.

Proposed law retains present law and adds that the additional costs provided for in present law shall not exceed \$30 in the City Court of Lafayette.

Effective August 1, 2014.

(Adds R.S. 13:1899(C)(11))