

SENATE BILL NO. 72

BY SENATOR MILLS AND REPRESENTATIVE BARRAS

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AN ACT

To enact R.S. 13:3049(B)(1)(e)(iii) and (iv) and R.S. 15:255(P) and (Q), relative to special funds for certain district courts; to provide for the deposit and use of certain monies in special funds in the Sixteenth Judicial District Court and the First Judicial District Court; to provide with respect to surplus juror compensation fees; to provide with respect to surplus witness fees payable to off-duty law enforcement officers; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:3049(B)(1)(e)(iii) and (iv) are hereby enacted to read as follows:

§3049. Cash deposit; bond; duty to attend; compensation; procedure; filing fees

* * *

B.(1)

* * *

(e)

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(iii)(aa) In the Sixteenth Judicial District, each parish governing authority may adopt an ordinance which provides that surplus monies in the juror compensation fund in their respective parish that exceeds fifty thousand dollars at the end of each calendar year may be used to defray the costs of providing courthouse security and all expenses associated with the trial of a capital case.

(bb) As used in this Item, "special fund" means the special fund provided for in this Subparagraph, and "surplus monies" means the amount of money that is in each special fund at the end of each calendar year and that is in excess of the total amount paid from costs of court collected as provided in Item (i) of this Subparagraph in that calendar year. No money obligated to be paid to any juror shall be considered surplus money pursuant to this Item.

1 (cc) For the purposes of this Item, the balance of fifty thousand dollars
2 required to be maintained in the juror compensation fund shall mean fifty
3 thousand dollars in unexpended and unencumbered funds, and under no
4 circumstances shall the balance in the fund be reduced below fifty thousand
5 dollars as a result of an expenditure made under the provisions of this Item.

6 (iv)(aa) In the First Judicial District, the parish governing authority may
7 adopt an ordinance which provides that surplus monies in the juror
8 compensation fund in the parish that exceeds fifty thousand dollars at the end
9 of each calendar year may be used to defray the costs of providing courthouse
10 security and all expenses associated with the trial of a capital case.

11 (bb) As used in this Item, "special fund" means the special fund provided
12 for in this Subparagraph, and "surplus monies" means the amount of money
13 that is in the special fund at the end of each calendar year and that is in excess
14 of the total amount paid from costs of court collected as provided in Item (i) of
15 this Subparagraph in that calendar year. No money obligated to be paid to any
16 juror shall be considered surplus money pursuant to this Item.

17 (cc) For the purposes of this Item, the balance of fifty thousand dollars
18 required to be maintained in the juror compensation fund shall mean fifty
19 thousand dollars in unexpended and unencumbered funds, and under no
20 circumstances shall the balance in the fund be reduced below fifty thousand
21 dollars as a result of an expenditure made under the provisions of this Item.

22 * * *

23 Section 2. R.S. 15:255(P) and (Q) are hereby enacted to read as follows:

24 §255. Witness fees to off-duty law enforcement officers

25 * * *

26 P.(1) In the Sixteenth Judicial District, all surplus monies in the special
27 fund in each of the parishes in that district that exceed fifty thousand dollars at
28 the end of each calendar year shall be transmitted by the governing authorities
29 of those parishes to the criminal court fund of the Sixteenth Judicial District
30 Court. However, no single parish shall transfer more than one hundred fifty

1 thousand dollars per year to the criminal court fund of the Sixteenth Judicial
2 District Court. The surplus monies that are required to be transferred by this
3 Subsection shall be transferred no later than January thirty-first of each year,
4 and may be used for any purpose for which the other monies in the criminal
5 court fund of the Sixteenth Judicial District Court may be used.

6 (2) As used in this Subsection, "special fund" means the special fund
7 provided for in Subsection D of this Section, and "surplus monies" means the
8 amount of money that is in each special fund at the end of each calendar year
9 and that is in excess of the total amount paid from each special fund as witness
10 fees for off-duty law enforcement officers in that calendar year. No money
11 obligated to be paid to any officer or agency for an off-duty law enforcement
12 officer's court appearance shall be considered surplus money pursuant to this
13 Subsection.

14 (3) For the purposes of this Subsection, the balance of fifty thousand
15 dollars required to be maintained in the witness fee fund shall mean fifty
16 thousand dollars in unexpended and unencumbered funds, and under no
17 circumstances shall the balance in the witness fee fund be reduced below fifty
18 thousand dollars as a result of a transfer made under the provisions of this
19 Subsection.

20 Q.(1) In the First Judicial District, all surplus monies in the special fund
21 that exceed fifty thousand dollars at the end of each calendar year shall be
22 transmitted by the governing authority of Caddo Parish to the criminal court
23 fund of the First Judicial District Court. However, no more than one hundred
24 fifty thousand dollars per year shall be transferred to the criminal court fund
25 of the First Judicial District Court. The surplus monies that are required to be
26 transferred by this Subsection shall be transferred no later than January thirty-
27 first of each year, and may be used for any purpose for which the other monies
28 in the criminal court fund of the First Judicial District Court may be used.

29 (2) As used in this Subsection, "special fund" means the special fund
30 provided for in Subsection D of this Section, and "surplus monies" means the

1 amount of money that is in each special fund at the end of each calendar year
 2 and that is in excess of the total amount paid from each special fund as witness
 3 fees for off-duty law enforcement officers in that calendar year. No money
 4 obligated to be paid to any officer or agency for an off-duty law enforcement
 5 officer's court appearance shall be considered surplus money pursuant to this
 6 Subsection.

7 (3) For the purposes of this Subsection, the balance of fifty thousand
 8 dollars required to be maintained in the witness fee fund shall mean fifty
 9 thousand dollars in unexpended and unencumbered funds, and under no
 10 circumstances shall the balance in the witness fee fund be reduced below fifty
 11 thousand dollars as a result of a transfer made under the provisions of this
 12 Subsection.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____