

2017 Regular Session

HOUSE BILL NO. 216

BY REPRESENTATIVE JONES

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COURTS/CITY: Provides relative to indigent defense services in certain city courts

1 AN ACT

2 To amend and reenact R.S. 13:2005(D), 2005.1(B), 2013(A), and 2488.77(B), relative to  
3 city courts; to provide for the city courts of Morgan City, New Iberia, Jeanerette, and  
4 Breaux Bridge; to provide relative to fees collected for purposes of indigent defense;  
5 to authorize a portion of those fees to be deposited into a special fund; to remove  
6 mandatory language; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:2005(D), 2005.1(B), 2013(A), and 2488.77(B) are hereby  
9 amended and reenacted to read as follows:

10 §2005. Morgan City

11 \* \* \*

12 D. Thirty percent of the funds collected by the city court of Morgan City  
13 pursuant to the provisions of R.S. 15:168(B) ~~shall~~ may be deposited into a special  
14 fund created for this purpose. The fund shall be referred to as the Morgan City  
15 Indigent Defender Fund.

16 \* \* \*

17 §2005.1. New Iberia

18 \* \* \*

19 B. Notwithstanding any other provision of this Section to the contrary, thirty  
20 percent of the funds collected by the city court of New Iberia pursuant to the

1 provisions of R.S. 15:168(B) ~~shall~~ may be deposited into a special fund created for  
2 this purpose. The fund shall be referred to as the New Iberia Indigent Defender  
3 Fund.

4 \* \* \*

5 §2013. Jeanerette

6 A. Thirty percent of the funds collected by the city court of Jeanerette  
7 pursuant to the provisions of R.S. 15:168(B) ~~shall~~ may be deposited into a special  
8 fund created for this purpose. The fund shall be referred to as the Jeanerette Indigent  
9 Defender Fund.

10 \* \* \*

11 §2488.77. Collection of fines, forfeitures, penalties, and costs

12 \* \* \*

13 B. Notwithstanding any other provision of this Section to the contrary, thirty  
14 percent of the funds collected by the city court of Breaux Bridge pursuant to the  
15 provisions of R.S. 15:168(B) ~~shall~~ may be deposited into a special fund created for  
16 this purpose. The fund shall be referred to as the Breaux Bridge Indigent Defender  
17 Fund.

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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)]

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HB 216 Original

2017 Regular Session

Jones

**Abstract:** Authorizes, in lieu of requiring, 30% of the funds collected by the city courts of Morgan City, New Iberia, Jeanerette, and Breaux Bridge to be deposited into a special indigent defender fund for indigent defense services in each city court.

Present law (R.S. 15:168) requires the collection of court costs in courts of original criminal jurisdiction in the amount of \$45 until Aug. 1, 2016, and \$35 thereafter. Provides that such funds shall be used and administered by the district public defender.

Present law (R.S. 13:2005.1) provides that all fines, forfeitures, and penalties imposed by the city court of New Iberia shall be paid into the city treasury. Present law further requires 30% of those funds collected by the city court of New Iberia, to be deposited into the New Iberia Public Defender Fund.

Present law (R.S. 13: 2013) requires 30% of the funds collected by the Jeanerette City Court pursuant to (R.S. 15:168(B)) be deposited into the Jeanerette Public Defender Fund.

Present law (R.S. 13:2488.77) provides that all fines, forfeitures, penalties, and costs designated by the city judge shall be paid into the Breaux Bridge town treasury when the prosecution is on behalf of the town and into the parish treasury of the St. Martin Parish police jury general fund when the prosecution is on behalf of the state or parish. Present law further requires 30% of those funds collected by the city court of Breaux Bridge to be deposited into the Breaux Bridge Public Defender Fund.

Proposed law retains present law but changes present law to authorize instead of require that 30% of those funds collected by the city courts of Morgan City, New Iberia, Jeanerette, and Breaux Bridge be deposited in each city's Public Defender Fund.

(Amends R.S. 13:2005(D), 2005.1(B), 2013(A), and 2488.77(B))