

2015 Regular Session

HOUSE BILL NO. 299

BY REPRESENTATIVE CHANEY

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

COURTS: Provides with respect to surplus monies in the witness fee fund of the 6<sup>th</sup> Judicial District Court

1 AN ACT

2 To enact R.S. 15:255(R), relative to witness fees for off-duty law enforcement officers; to  
3 authorize the transfer of certain witness fee surplus funds within the Sixth Judicial  
4 District; to provide for the transfer procedures and use of such funds; to provide for  
5 definitions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:255(R) is hereby enacted to read as follows:

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

9 \* \* \*

10 R. In the Sixth Judicial District, all surplus monies in the special fund in each  
11 of the parishes in that district that exceed two thousand dollars at the end of each  
12 calendar year shall be transmitted by the governing authorities of those parishes to  
13 the criminal court fund of the Sixth Judicial District Court no later than January  
14 thirty-first of each calendar year. As used in this Subsection, "special fund" means  
15 the special fund provided for in Subsection D of this Section, and "surplus monies"  
16 means the amount of money which is in each special fund at the end of each calendar  
17 year and which is in excess of the total amount paid from each special fund as  
18 witness fees for off-duty law enforcement officers in that calendar year. The surplus  
19 monies which are required to be transferred by this Subsection may be used for any  
20 purpose for which the other monies in the criminal court fund of the Sixth Judicial

1        District Court may be used. No money obligated to be paid to any officer or agency  
2        for an off-duty law enforcement court appearance shall be considered surplus money  
3        pursuant to this Subsection.

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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 299 Original

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**Abstract:** Authorizes the transfer of surplus witness fees for off-duty law enforcement officers from each parish governing authority in the Sixth Judicial District to the criminal court fund in the Sixth Judicial District Court.

Present law requires that witness fees be paid from court costs collected in individual cases tried in district or parish courts or in any court with juvenile jurisdiction or cases in which there is a plea of guilty or conviction. All of such costs shall be placed in a special fund that shall be maintained and be administered by the governing authority.

Proposed law retains present law.

Proposed law requires all parish governing authorities within the 6<sup>th</sup> Judicial District to transfer all surplus monies in the special fund that exceed \$2,000 at the end of each calendar year to the criminal court fund of the 6<sup>th</sup> JDC by Jan. 31<sup>st</sup> of each calendar year to be used for the same purposes that the present funds are being used.

Proposed law defines "special fund" as the special fund provided for in present law, and "surplus monies" as the amount of money which is in each special fund at the end of each calendar year and which is in excess of the total amount paid from each special fund as witness fees for off-duty law enforcement officers in that calendar year.

Proposed law prohibits any money obligated to be paid to any officer or agency for an off-duty law enforcement court appearance from being considered surplus money.

(Adds R.S. 15:255(R))