

2016 Regular Session

HOUSE BILL NO. 92

BY REPRESENTATIVE JAMES

COURTS/COURT COSTS: Repeals the warrant recall fees collected to fund a misdemeanor jail in East Baton Rouge Parish

1 AN ACT

2 To repeal R.S. 13:1000.10, 1415, 2002.1, 2488.40, and 2489.1, relative to warrant recall fees
3 to fund a misdemeanor detention facility in East Baton Rouge Parish; to repeal
4 statutory authority for the levying and collection of such fees.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:1000.10, 1415, 2002.1, 2488.40, and 2489.1 are hereby repealed
7 in their entirety.

8 Section 2. All sums collected and placed in the Misdemeanor Detention Fund
9 pursuant to the provisions of R.S. 13:1000.10, 1415, 2002.1, 2488.40, and 2489.1 prior to
10 the effective date of this Act shall be returned to the court that collected those sums.

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)]

HB 92 Original

2016 Regular Session

James

Abstract: Repeals statutes providing for the collection of funds by courts in East Baton Rouge Parish to be used for a misdemeanor detention facility, and returns the sums collected to the courts that collected them.

Present law requires the 19th JDC, East Baton Rouge Parish Family Court, Baker City Court, and the Zachary City Court to levy and impose a \$50 warrant recall fee on all persons who fail to appear on all misdemeanor offenses and traffic offenses where a warrant for arrest is issued. Provides that the proceeds shall be used to pay the expenses of operating a misdemeanor detention facility in the parish.

Present law requires the Baton Rouge City Court to levy and impose a \$25 warrant recall fee on all persons who fail to appear on all misdemeanor offenses and traffic offenses where a

warrant for arrest is issued. Provides that the proceeds shall be used to pay the expenses of operating a misdemeanor detention facility in East Baton Rouge Parish.

Present law requires each clerk of court to place all sums collected or received with the finance director for the parish of East Baton Rouge, who shall place the funds in the Misdemeanor Detention Fund.

Present law requires all monies in this account to be used solely for the purpose of paying expenses associated with the operation of a misdemeanor detention facility in the parish and requires the finance director to conduct an annual audit of the fund.

Present law requires all law enforcement agencies within the parish to confer for the purpose of creating and implementing additional pilot programs for the periodic targeted enforcement of outstanding warrants until sufficient revenues are generated to sustain the permanent operation of the misdemeanor detention facility.

Present law authorizes the mayor-president to expend funds and enter into cooperative endeavor agreements with all courts, the sheriff of East Baton Rouge Parish, and all other law enforcement agencies within the parish in order to carry out the provisions of present law, subject to the approval of the Metropolitan Council.

Present law requires the mayor-president through the finance department to report quarterly to the Metropolitan Council and the courts within the parish on the Misdemeanor Detention Fund, including recommendations regarding necessary adjustments and the financial feasibility of the misdemeanor warrant enforcement programs.

Proposed law repeals present law. Requires monies in the Misdemeanor Detention Fund to be returned to the courts that collected them.

(Repeals R.S. 13:1000.10, 1415, 2002.1, 2488.40, and 2489.1)