

Regular Session, 2010
HOUSE BILL NO. 1249
BY REPRESENTATIVES BROSSETT AND LEGER

ACT No. 845

1 AN ACT

2 To amend and reenact R.S. 1:11, relative to determinations of the populations of parishes,
3 municipalities, and other political subdivisions; to provide relative to the
4 applicability of a new census to statutes that define classes of political subdivisions
5 based on population; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. The legislature recognizes that though official census numbers are
8 delivered to the president of the United States in December of the year a decennial census
9 is taken, official populations of parishes, municipalities, and other local places are not
10 available until some months later. States and local governing authorities do not know in
11 advance exactly when this information will be available to them or how they will be affected
12 once the numbers are available. The legislature also recognizes that when a law becomes
13 applicable or no longer applicable to a parish or municipality due to a change in population,
14 the effect of such a change is the same as an enactment by the legislature. Therefore, the
15 legislature concludes that there should be a date certain on which a new census becomes the
16 census used to determine the applicability of laws that apply to classes of political
17 subdivisions identified by population categories and that the normal effective date of laws
18 passed during a regular session of the Legislature of Louisiana is an appropriate date.

19 Section 2. R.S. 1:11 is hereby amended and reenacted to read as follows:

20 §11. Population, how determined; new census

21 A. Except as otherwise provided, the number of inhabitants of a political
22 subdivision is that shown by the latest regular or special federal census.

1 B. To provide for orderly transition in the implementation of any law
 2 applicable to a class of political subdivisions identified by a population category, a
 3 particular federal census shall become the "latest" and the "most recent" federal
 4 census on August fifteenth of the year following the year in which the census is
 5 taken and shall remain the "latest" and "most recent" federal census until August
 6 fifteenth of the year following the year in which the subsequent census is taken;
 7 however, the provisions of this Subsection shall not apply to any law providing for
 8 reapportionment or redistricting.

9 Section 3. R.S. 1:11(B) is hereby amended and reenacted to read as follows:

10 §11. Population, how determined; new census

11 * * *

12 B. To provide for orderly transition in the implementation of any law
 13 applicable to a class of political subdivisions identified by a population category, a
 14 particular federal census shall become the "latest" and the "most recent" federal
 15 census on August ~~fifteenth~~ first of the year following the year in which the census
 16 is taken and shall remain the "latest" and "most recent" federal census until August
 17 ~~fifteenth~~ first of the year following the year in which the subsequent census is taken;
 18 however, the provisions of this Subsection shall not apply to any law providing for
 19 reapportionment or redistricting.

20 Section 4.(A) Sections 1 and 2 and this Section of this Act shall become effective
 21 upon signature of this Act by the governor or, if not signed by the governor, upon expiration
 22 of the time for bills to become law without signature by the governor, as provided by Article
 23 III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and
 24 subsequently approved by the legislature, Sections 1 and 2 and this Section of this Act shall
 25 become effective on the day following such approval.

26 (B) Section 3 of this Act shall take effect and become operative if and when the
 27 proposed amendment of Article III of the Constitution of Louisiana contained in Act No. 537

1 of the 2009 Regular Session of the Legislature of Louisiana is adopted at a statewide election
2 to be held in 2010 and becomes effective.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____