

Regular Session, 2011

# ACT No. 260

HOUSE BILL NO. 215

BY REPRESENTATIVE SMILEY

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

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AN ACT

To amend and reenact R.S. 33:342(A) and 343(A), relative to classifications of municipalities based upon population; to authorize a municipality under certain circumstances to retain its classification when population changes would otherwise change its classification; to provide procedures; to provide relative to the designation of the governing authority; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:342(A) and 343(A) are hereby amended and reenacted to read as follows:

§342. Change in classification of municipality; governor's proclamation; census not conclusive; judicial notice

A.(1) Whenever a census taken by resolution of the board of aldermen of any municipality or a certified report from the federal Census Bureau shows that its population has increased or decreased so as to take the municipality out of its present municipal class, the board of aldermen shall adopt a resolution requesting the governor to change the classification of the municipality. The results of any census taken by resolution of the board of aldermen shall have been certified by the person authorized to take the census.

(2) Notwithstanding the provisions of this Section and the provisions of R.S. 33:341, the governing authority of a municipality may elect not to change the classification of the municipality when a census shows that its population has increased by fewer than two hundred persons since the last decennial census, but such increase would change the municipality's classification from village to town.

