

First Extraordinary Session, 2011

HOUSE BILL NO. 31

BY REPRESENTATIVE TUCKER

REAPPORTIONMENT/JUDGES: Provides relative to the Courts of Appeal (Item #7)

1 AN ACT

2 To amend and reenact R.S. 13:312(5)(b)(ii) and (iii), relative to courts of appeal; to provide
3 relative to the Court of Appeal for the Fifth Circuit; to provide for the districts of the
4 circuit; to provide for the assignment of judgeships for election purposes; to provide
5 for the election of judges; to provide for effectiveness; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:312(5)(b)(ii) and (iii) are hereby amended and reenacted to read
9 as follows:

10 §312. Courts of appeal; circuits and districts

11 There shall be five court of appeal circuits, which shall be subdivided into
12 districts as follows:

13 * * *

14 5.

15 * * *

16 (b) Districts of the fifth circuit.

17 * * *

18 (ii) ~~The parish of St. James and that portion of St. John the Baptist Parish~~
19 ~~east of the Mississippi River~~ Precincts 1-6, 2-1, 2-2, 2-3, 2-4, 2-5, 3-1, 3-2, 3-3, 3-4,

1 3-5, 3-6, 4-1, 4-2, 4-3, 5-1, 5-2, 5-3, 5-4, 5-5, 6-1, 6-2, 6-3, 6-4, 6-5, 6-7, 6-8, 7-2 and
2 7-3 of St. Charles Parish; Precincts 16, 17, 17-A and 18 of St. James Parish; and
3 Precincts 1-1, 4-4, 4-8, 4-9, 5-3, 5-4, 5-5, 5-6, 5-7, 6-1, 7-2, 7-3, 7-4, 7-5 and 7-7 of
4 St. John the Baptist Parish shall compose the second district of the fifth circuit.

5 (iii) ~~The parish of St. Charles and that portion of St. John the Baptist Parish~~
6 ~~west of the Mississippi River~~ Precincts 1-1, 1-2, 1-3, 1-5, 4-4, 6-6, 7-1 and 7-4 of St.
7 Charles Parish; Precincts 2, 3, 4, 5, 6, 7, 7-A, 8, 8-A, 9, 10, 11, 12, 13, 14, 15 and
8 15B of St. James Parish; and Precincts 1-2, 1-3, 1-4, 1-5, 2-1, 2-2, 2-3, 2-4, 3-1, 3-2,
9 3-3, 3-4, 4-1, 4-2, 4-3, 5-1, 5-2, 6-3 and 6-4 of St. John the Baptist Parish shall
10 compose the third district of the fifth circuit.

11 Section 2.(A) The precincts referenced in this Act are those precincts identified as
12 Voting Districts (VTDs) in the 2010 Census Redistricting TIGER/Line Shapefiles for the
13 State of Louisiana.

14 (B) When a precinct referenced in this Act has been subdivided by action of the
15 parish governing authority on a nongeographic basis or subdivided by action of the parish
16 governing authority on a geographic basis in accordance with the provisions of R.S.
17 18:532.1, the enumeration in this Act of the general precinct designation shall include all
18 nongeographic and all geographic subdivisions thereof, however such subdivisions may be
19 designated. The territorial limits of the districts as provided in this Act shall continue in
20 effect without change regardless of any changes made to the precincts by the parish
21 governing authority.

22 Section 3.(A) The judgeship currently assigned to the second district of the Court
23 of Appeal for the Fifth Circuit is hereby assigned to the second district as provided in this
24 Act for election purposes.

25 (B) The special primary election scheduled to be held on October 22, 2011, and the
26 special general election scheduled to be held on November 19, 2011, pursuant to
27 Proclamation No. 94 BJ 2010 to fill a vacancy in the office of judge for the third district of
28 the Court of Appeal for the Fifth Circuit shall be held in the third district as provided for in

1 this Act, and such judgeship shall be assigned to the third district as provided in this Act for
2 election purposes.

3 Section 4. This Act shall become effective upon signature by the governor or, if not
4 signed by the governor, upon expiration of the time for bills to become law without signature
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become
7 effective on the day following such approval.

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)]

Tucker

HB No. 31

Abstract: Provides relative to the districts of the Court of Appeal for the Fifth Circuit.

Statistical summaries of proposed law as well as maps illustrating proposed district boundaries accompany this digest. (*Attached to hard copies of the bill distributed during session and available as a separate document on the Internet.*)

Present law provides that the second district of the Court of Appeal for the Fifth Circuit is comprised of St. James Parish and that portion of St. John the Baptist Parish east of the Mississippi River. Provides that the third district of the Court of Appeal for the Fifth Circuit is comprised of St. Charles Parish and that portion of St. John the Baptist Parish west of the Mississippi River. Provides that one judge each is elected from the second and third districts.

Proposed law changes the composition of the second and third districts. Provides that the judgeship currently assigned to the second district is assigned to the second district as provided in proposed law for election purposes. Provides that the special primary election scheduled to be held on Oct. 22, 2011, and the special general election scheduled to be held on Nov. 19, 2011, to fill a vacancy in the office of judge for the third district of the Court of Appeal for the Fifth Circuit shall be held in the third district as provided for in proposed law, and that such judgeship shall be assigned to the third district as provided in proposed law for election purposes.

Proposed law specifies that the precincts referenced in proposed law are those precincts identified as Voting Districts (VTDs) in the 2010 Census Redistricting TIGER/Line Shapefiles for the state of La. Provides that when a precinct referenced in proposed law has been subdivided by action of the parish governing authority on a nongeographic basis or subdivided by action of the parish governing authority on a geographic basis in accordance with the provisions of present law (R.S. 18:532.1), the enumeration in proposed law of the general precinct designation shall include all nongeographic and all geographic subdivisions thereof, however, such subdivisions may be designated. Provides that the territorial limits of the districts as provided in proposed law shall continue in effect without change regardless of any changes made to the precincts by the parish governing authority.

Population data in the summaries accompanying this digest are derived from 2010 Census Redistricting Data (Public Law 94-171), Summary File for Louisiana. Population data,

statistical information, and maps are supplied for purposes of information and analysis and comprise no part of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 13:312(5)(b)(ii) and (iii))

Total Population

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	Total Hispanic	Reg Total Jan 2011
District 2	65,287	46,176	16,572	800	445	1,294	3,568	40,859
	100.000%	70.728%	25.383%	1.225%	0.682%	1.982%	5.465%	84.886%
District 3	55,519	20,480	34,057	232	215	535	1,511	33,334
	100.000%	36.888%	61.343%	0.418%	0.387%	0.964%	2.722%	82.496%
Grand Total	120,806	66,656	50,629	1,032	660	1,829	5,079	74,193
	100.000%	55.176%	41.909%	0.854%	0.546%	1.514%	4.204%	83.795%

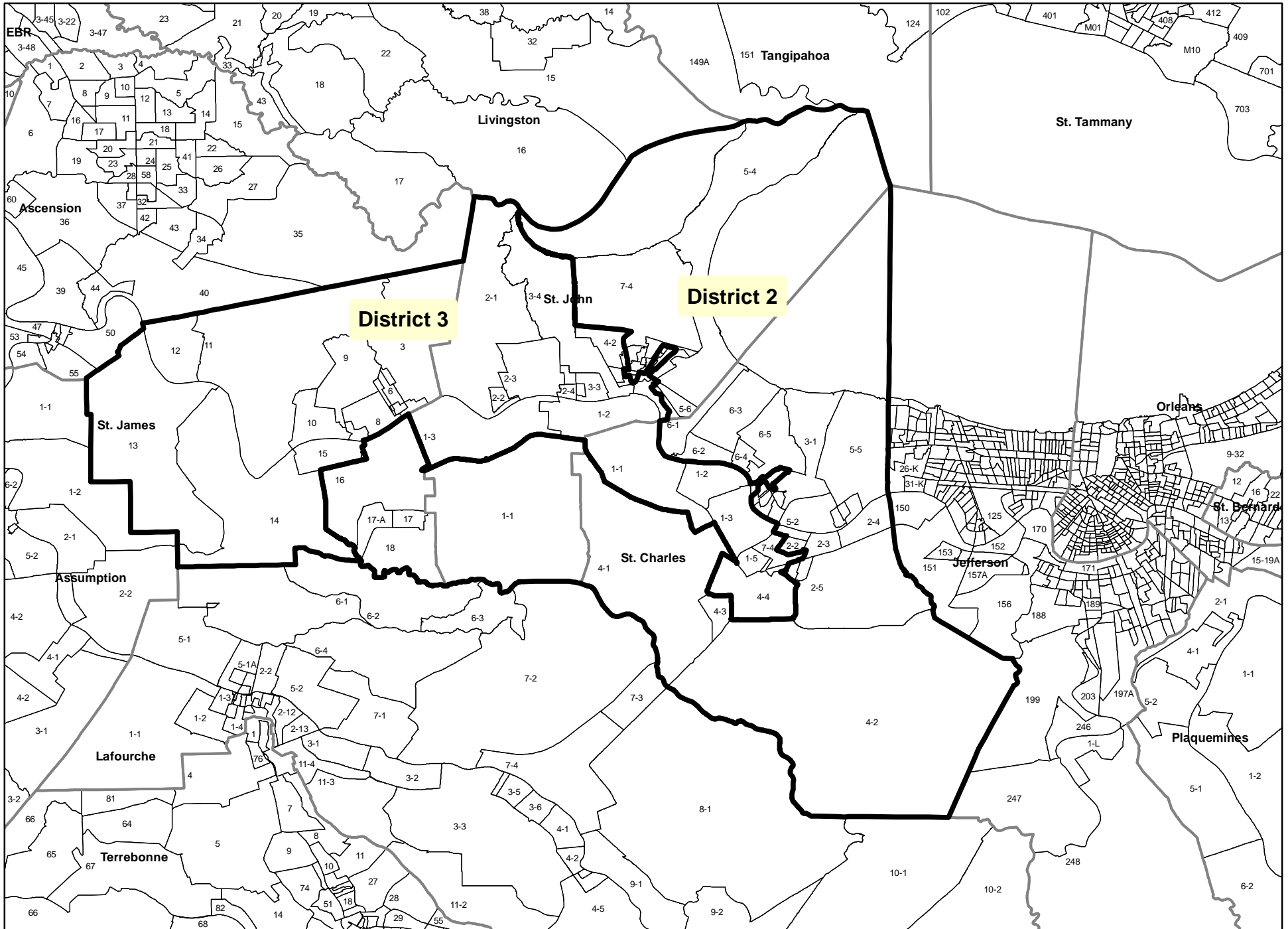
Voter Registration

	Reg Total Jan 2011	Reg White Jan 2011	Reg Black Jan 2011	Reg Other Jan 2011	Reg Dem Total Jan 2011	Reg Rep Total Jan 2011	Reg Other Total Jan 2011
District 2	40,859	29,662	9,421	1,776	19,465	11,824	9,570
	84.886%	72.596%	23.057%	4.347%	47.639%	28.939%	23.422%
District 3	33,334	12,966	19,558	810	23,998	3,829	5,507
	82.496%	38.897%	58.673%	2.430%	71.993%	11.487%	16.521%
Grand Total	74,193	42,628	28,979	2,586	43,463	15,653	15,077

Splits

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Jan 2011	Reg White Jan 2011	Reg Black Jan 2011	Reg Other Jan 2011
District 2																
*St. Charles	41,992	32,235	8,166	513	317	761	30,766	24,155	5,515	324	225	547	25,667	20,358	4,163	1,146
*St. James	5,803	2,797	2,951	3	4	48	4,370	2,209	2,123	3	3	32	4,201	1,983	2,178	40
*St. John the Baptist	17,492	11,144	5,455	284	124	485	12,998	8,692	3,670	203	80	353	10,991	7,321	3,080	590
District 2	65,287	46,176	16,572	800	445	1,294	48,134	35,056	11,308	530	308	932	40,859	29,662	9,421	1,776
	100.000%	70.728%	25.383%	1.225%	0.682%	1.982%	100.000%	72.830%	23.493%	1.101%	0.640%	1.936%	84.886%	72.596%	23.057%	4.347%
District 3																
*St. Charles	10,788	4,305	6,229	62	54	138	7,806	3,290	4,353	33	38	92	6,038	2,555	3,291	192
*St. James	16,299	7,818	8,339	40	48	54	12,031	6,022	5,916	23	38	32	10,502	5,266	5,082	154
*St. John the Baptist	28,432	8,357	19,489	130	113	343	20,570	6,716	13,457	87	84	226	16,794	5,145	11,185	464
District 3	55,519	20,480	34,057	232	215	535	40,407	16,028	23,726	143	160	350	33,334	12,966	19,558	810
	100.000%	36.888%	61.343%	0.418%	0.387%	0.964%	100.000%	39.666%	58.718%	0.354%	0.396%	0.866%	82.496%	38.897%	58.673%	2.430%

Court of Appeal Fifth Circuit - 2nd and 3rd Districts



Court of Appeal Fifth Circuit - 2nd and 3rd Districts

