

Regular Session, 2013

HOUSE BILL NO. 318

BY REPRESENTATIVE ALFRED WILLIAMS

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

REAPPORTIONMENT/JUDGES: Provides for the election sections for City Court of Baton Rouge and for the number of judges elected from such sections

1 AN ACT

2 To amend and reenact R.S. 13:1952(4), relative to the City Court of Baton Rouge; to provide
3 for the composition of the election sections; to provide for the number of judges
4 elected from each election section; to provide for the assignment of divisions to each
5 election section; to provide relative to the assignment of certain annexations to
6 election sections; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:1952(4) is hereby amended and reenacted to read as follows:

9 §1952. Courts created by special legislative Act

10 The following city courts, heretofore created and established by special
11 legislative Act, are hereby recognized and continued in existence and, except as
12 otherwise provided in this Section, their territorial jurisdiction shall extend through
13 the city and ward or wards wherein the city in which they are domiciled is located,
14 as extended from time to time:

15 * * *

16 (4)(a) The City Court of Baton Rouge, domiciled in the city of Baton Rouge,
17 parish of East Baton Rouge, having five city judges and a city constable. The court
18 shall be divided into five divisions, namely, divisions "A", "B", "C", "D", and "E"
19 and its territorial jurisdiction shall extend throughout the territorial area of the city
20 of Baton Rouge as extended from time to time.

1 (b) For the purpose of electing judges, the court shall be divided into two
2 election sections.

3 (i) Election section one shall consist of ~~precincts: 1-1A, 1-1B, 1-3A, 1-3B,~~
4 ~~1-4, 1-5, 1-6, 1-8, 1-11, 1-13A, 1-13B, 1-16, 1-17, 1-18, 1-19, 1-20, 1-21, 1-22, 1-23,~~
5 ~~1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-31A, 1-31B, 1-38A, 1-38B, 1-45, 1-46A, 1-46B,~~
6 ~~1-46C, 1-46D, 1-50A, 1-50B, 1-51A, 1-51B, 1-58A, 1-58B, 1-61, 1-67, 1-68, 1-84A,~~
7 ~~1-84B, 1-85A, 1-85B, 1-86A, 1-86B, 1-91, 1-92A, 1-92B, 1-93, 1-94A, 1-94B, 1-~~
8 ~~95A, 1-95B, 1-96A and 1-96B.~~ the following precincts and parts of precincts
9 contained within the corporate limits of the city of Baton Rouge: 1-1, 1-2, 1-3, 1-4,
10 1-5, 1-6, 1-7, 1-8, 1-10, 1-13, 1-14, 1-15, 1-16, 1-17 (part), 1-18, 1-19, 1-21, 1-22,
11 1-23 (part), 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-30, 1-31, 1-32, 1-33, 1-36, 1-37,
12 1-38, 1-40, 1-41, 1-44, 1-45, 1-46, 1-48, 1-50, 1-51, 1-57, 1-58, 1-61, 1-62, 1-63, 1-
13 64, 1-67, 1-68, 1-70, 1-77 (part), 1-78, 1-82, 1-84 (part), 1-85 (part), 1-86, 1-91,
14 1-92, 1-93, 1-94, 1-95 (part), 1-100 (part), 1-101 (part), 1-102 (part), 1-104, 2-1
15 (part), 2-9 (part), 2-11 (part), 2-22 (part), 2-24 (part), 2-25 (part), 3-5 (part), 3-8
16 (part), 3-24 (part), and 3-50 (part).

17 (ii) Election section two shall consist of ~~precincts: 1-7, 1-10, 1-14A, 1-14B,~~
18 ~~1-15A, 1-15B, 1-30, 1-32, 1-33, 1-34A, 1-34B, 1-35, 1-36A, 1-36B, 1-36C, 1-36D,~~
19 ~~1-37, 1-39, 1-40, 1-41, 1-42, 1-43, 1-44, 1-48A, 1-48B, 1-49A, 1-49B, 1-52A, 1-52B,~~
20 ~~1-53A, 1-53B, 1-53C, 1-53D, 1-54A, 1-54B, 1-55A, 1-55B, 1-56A, 1-56B, 1-57, 1-~~
21 ~~59, 1-60A, 1-60B, 1-62, 1-63, 1-64, 1-65, 1-69A, 1-69B, 1-71A, 1-71B, 1-71C, 1-~~
22 ~~71D, 1-72A, 1-72B, 1-72C, 1-73A, 1-73B, 1-74A, 1-74B, 1-74C, 1-75A, 1-75B, 1-~~
23 ~~75C, 1-75D, 1-76A, 1-76B, 1-76C, 1-76D, 1-78A, 1-78B, 1-79, 1-80, 1-81, 1-82A,~~
24 ~~1-82B, 1-82C, 1-82D, 1-83A, 1-83B, 1-87, 1-88A, 1-88B, 1-89, 1-90, 1-97, 1-98A,~~
25 ~~1-98B, 1-99A, 1-99B, and 1-99C.~~ the following precincts and parts of precincts
26 contained within the corporate limits of the city of Baton Rouge: 1-9, 1-12, 1-34,
27 1-35, 1-39, 1-42, 1-43, 1-47, 1-49, 1-52, 1-53, 1-54, 1-55, 1-56, 1-59, 1-60, 1-65
28 (part), 1-66, 1-69, 1-71, 1-72, 1-73, 1-74, 1-75, 1-80 (part), 1-81, 1-83, 1-87, 1-88
29 (part), 1-89 (part), 1-90, 1-97 (part), 1-98, 1-99 (part), 1-103, 1-105 (part), 1-107

1 manner to decrease the term of any judge serving on the effective date of this Act or to
2 prohibit any judge from seeking reelection in any division of the court.

3 Section 3.(A) The precincts for the Parish of East Baton Rouge referenced in this
4 Act are those contained in the file named "2012 Precinct Shapefiles" published on the
5 Louisiana House of Representatives website. The 2012 Precinct Shapefiles are based upon
6 those Voting Districts (VTDs) contained in the 2010 Census Redistricting TIGER/Line
7 Shapefiles for the State of Louisiana as those files have been modified by the staff of the
8 Legislature of Louisiana to represent precinct changes submitted through August 8, 2012,
9 to the Legislature of Louisiana by parish governing authorities pursuant to the provisions of
10 R.S. 18:532 and 532.1.

11 (B) When a precinct referenced in this Act has been subdivided by action of the
12 parish governing authority on a nongeographic basis or subdivided by action of the parish
13 governing authority on a geographic basis in accordance with the provisions of R.S.
14 18:532.1, the enumeration in this Act of the general precinct designation shall include all
15 nongeographic and all geographic subdivisions thereof, however such subdivisions may be
16 designated. When a precinct enumerated in this Act has been consolidated or merged on a
17 geographic basis by action of the parish governing authority pursuant to the provisions of
18 R.S. 18:532.1, the territorial limits of the election sections as provided in this Act shall
19 continue in effect without change. The territorial limits of the election sections as provided
20 in this Act shall continue in effect without change regardless of any subdivisions, mergers,
21 consolidations, or designation changes made to the precincts by the parish governing
22 authority. However, the territorial limits of the election sections may change due to
23 annexations as provided in R.S. 13:1952(4)(d).

24 Section 4. This Act shall become effective upon signature by the governor or, if not
25 signed by the governor, upon expiration of the time for bills to become law without signature
26 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
27 vetoed by the governor and subsequently approved by the legislature, this Act shall become
28 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)]

Alfred Williams

HB No. 318

Abstract: Changes the election sections for the City Court of Baton Rouge and provides that three judges are elected from election section one and two judges are elected from election section two.

Present law provides for the City Court of Baton Rouge, domiciled in Baton Rouge and having five city judges and a city constable. Provides that the court is divided into five divisions, "A", "B", "C", "D", and "E" and its territorial jurisdiction shall extend throughout the territorial area of the city of Baton Rouge as extended from time to time. Provides for the purpose of electing judges, the court is divided into two election sections and that two judges (divisions "B" and "D") are elected in election section one and three judges (divisions "A", "C", and "E") are elected in election section two.

Proposed law changes the composition of election section one and election section two. Further, proposed law provides that three judges shall be elected from election section one and two judges shall be elected from election section two. Proposed law assigns division "E", in addition to divisions "B" and "D", to election section one for election purposes and provides that divisions "A" and "C" remain assigned to election section two for election purposes.

Proposed law specifies that in addition to qualifications provided by law for a judge of the Baton Rouge City Court, a candidate for a judgeship elected by either election section need only be a resident of the city of Baton Rouge and that the provisions of proposed law shall not be construed in any manner to decrease the term of any judge serving on the effective date of proposed law or to prohibit any judge from seeking reelection in any division of the court.

Present law allows the metropolitan council for the city of Baton Rouge, parish of East Baton Rouge, to assign annexations which are approved subsequent to June 15, 1993, to the appropriate election section. Requires the metropolitan council to submit such assignment by certified mail or by hand delivery with receipt to the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs for approval. Provides that the committees have 45 days to determine, either jointly or separately, whether the assignment shall be approved or disapproved. Specifies that if the time period for action by the committees lapses without action by such committees, the assignment is deemed approved, and if one or both committees disapprove the assignment, such assignment is not effective for any purpose.

Proposed law provides for the assignment of annexations subsequent to May 26, 2010, and otherwise retains present law.

Proposed law specifies that precincts referenced in district descriptions in proposed law are those contained in the file named "2012 Precinct Shapefiles" published on the Louisiana House of Representatives website. Specifies that the 2012 Precinct Shapefiles are based upon those Voting Districts (VTDs) contained in the 2010 Census Redistricting TIGER/Line Shapefiles for the state of Louisiana as those files have been modified by the staff of the legislature to represent precinct changes submitted through Aug. 8, 2012, to the legislature by parish governing authorities pursuant to the provisions of R.S. 18:532 and 532.1.

Proposed law additionally provides that when a precinct is subdivided on a nongeographic or geographic basis under present law (R.S. 18:532.1), the general precinct designation in the district description includes all nongeographic and geographic subdivisions of the precinct within the corporate limits of Baton Rouge, and specifies that if a precinct is consolidated or merged on a geographic basis by action of the parish governing authority pursuant to the provisions of present law (R.S. 18:532.1), the territorial limits of the election sections as provided by proposed law shall continue in effect without change and further specifies that the territorial limits of the election sections as provided in proposed law shall continue in effect without change regardless of any subdivisions, mergers, consolidations, or designation changes made to the precincts by the parish governing authority, except as provided in proposed law relative to annexations.

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

(Amends R.S. 13:1952(4))