HLS 12RS-851 ENGROSSED

Regular Session, 2012

HOUSE BILL NO. 597

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BY REPRESENTATIVE MILLER

CLERKS OF COURT: Authorizes an automobile expense allowance for the clerks of court of St. Charles Parish, Franklin Parish, and West Baton Rouge Parish

AN ACT

2 To amend and reenact R.S. 13:783(D)(1)(a) and (7), relative to the clerks of court for 3 Franklin Parish, St. Charles Parish, and West Baton Rouge Parish; to authorize an 4 automobile expense allowance for the St. Charles Parish Clerk of Court, the Franklin 5 Parish Clerk of Court, and the West Baton Rouge Parish Clerk of Court; to require automobile insurance for bodily injury and property damage; to allocate surplus 6 7 funds to the expense allowance; to prohibit additional expenses from being paid by 8 the state or local governing authority; and to provide for related matters. 9 Be it enacted by the Legislature of Louisiana: 10 Section 1. R.S. 13:783(D)(1)(a) and (7) are hereby amended and reenacted to read 11 as follows: 12 §783. Expenses of clerk's office 13 14 D.(1)(a)(i) Each of the clerks of the district courts is hereby authorized to 15 purchase, out of any surplus in his salary fund, an automobile for the use of his 16 office, after having first obtained the consent of the governing authority of the parish. 17 (ii) However, the consent of the governing authority shall not be necessary as to any clerk of court who, prior to July 29, 1970, has purchased an automobile 18 19 under authority of any previously enacted law. 20

Page 1 of 2

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(7) In Acadia Parish, Franklin Parish, Iberia Parish, Red River Parish, St. Charles Parish, St. Tammany Parish, Tangipahoa Parish, and Washington Parish, and West Baton Rouge Parish, the clerks of the district courts of those parishes may receive an automobile expense allowance equal to fifteen percent of their annual salary provided the clerk of court maintains three hundred thousand dollars of automobile insurance per accident for bodily injury and one hundred thousand dollars of automobile insurance per accident for property damage. The expense allowance shall come from surplus funds in each of the offices of the clerks of court and at no additional expense to the state or local governing authority.

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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)]

Miller HB No. 597

Abstract: Authorizes the clerks of court of Franklin Parish, St. Charles Parish, and West Baton Rouge Parish to receive an automobile expense allowance equal to 15% of the clerk's annual salary provided that a certain amount of automobile insurance is maintained.

<u>Present law</u> authorizes the clerks of the district courts of the parishes of Acadia, Iberia, Red River, St. Tammany, Tangipahoa, and Washington to receive an automobile expense allowance equal to 15% of their annual salary provided the clerk of court maintains \$300,000 of automobile insurance per accident for bodily injury and \$100,000 of automobile insurance per accident for property damage.

<u>Present law</u> requires the expense allowance to come from surplus funds in each of the offices of the clerks of court and at no additional expense to the state or local governing authority.

<u>Proposed law</u> retains <u>present law</u> and adds the clerks for the district court of Franklin Parish, St. Charles Parish, and West Baton Rouge Parish.

(Amends R.S. 13:783(D)(1)(a) and (7))

Summary of Amendments Adopted by House

Committee Amendments Proposed by <u>House Committee on Judiciary</u> to the <u>original</u> bill.

1. Added the clerks of Franklin Parish and West Baton Rouge Parish to the provisions of <u>present law</u> which authorizes an automobile expense allowance.