

First Extraordinary Session, 2011

SENATE BILL NO. 14

BY SENATOR CLAITOR

CENSUS. Provides relative to provisions in Title 42 which are limited in applicability to political subdivisions or local areas meeting specified population characteristics.

1 AN ACT

2 To amend and reenact R.S. 42:15(B), 66(J), and 261(C), relative to the provisions of Title
3 42 (Public Officers and Employees) of the Louisiana Revised Statutes of 1950,
4 which are limited in applicability to certain political subdivisions or local areas based
5 upon population classifications; to specify applicability to one or more political
6 subdivisions or local areas; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 42:15(B), 66(J), and 261(C) are hereby amended and reenacted to
9 read as follows:

10 §15. School board meetings; public comment

11 * * *

12 B. ~~A school board in a parish containing a municipality with a population of~~
13 ~~four hundred thousand or more according to the latest federal decennial census~~ **The**
14 **Orleans Parish School Board**, at any meeting of the school board, shall provide an
15 opportunity for public comment subject to reasonable rules, regulations, and
16 restrictions as adopted by the school board.

17 * * *

1 §66. Exemptions

2 * * *

3 J. Nothing in this Part shall be construed to prohibit an elected school board
4 member from holding employment as a juvenile probation officer in a district court,
5 as a parish prison warden, or as a deputy sheriff provided that such person, on
6 September 7, 1979, held elective office as a school board member and at the same
7 time held elective or appointive office in juvenile services of the district court, or
8 held elective office as a school board member and at the same time held employment
9 as a parish prison warden or as a deputy sheriff and has continued to so serve as a
10 school board member and in juvenile services of the district court, or as a school
11 board member and as a parish prison warden or a deputy sheriff. The provisions of
12 this Subsection relative to parish prison wardens and deputy sheriffs shall not be
13 applicable in ~~any parish over 400,000 in population~~ **Orleans Parish, Jefferson**
14 **Parish, or East Baton Rouge Parish.**

15 * * *

16 §261. District attorneys; counsel for boards and commissions

17 * * *

18 C. Notwithstanding the provisions of Subsections A and B of this ~~section~~
19 **Section** or of any other law, the governing authority of ~~any parish listed in the 1970~~
20 ~~decennial federal census as having a total population of between 70,000 and 80,000~~
21 **Terrebonne Parish** may retain, ~~select and/or~~ **or** employ, on a ~~full or part time~~ **full**
22 **or part-time** basis or on retainer, an attorney to serve as its regular or special
23 attorney and in such case may fix and pay the salary or compensation of said
24 attorney. The employment of an attorney under this authorization relieves the
25 district attorney of responsibility.

26 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Tim Prather.

DIGEST

Proposed law, contained in Title 42 (Public Officers and Employees) of the Louisiana Revised Statutes of 1950, legislates with regard to classifications of parishes, municipalities, or other political subdivisions or local areas according to population by limiting the application of laws based upon specific classifications to one or more parishes, municipalities, or other political subdivisions or local areas, as follows:

CITATION/ TOPIC	EXISTING LAW	AFFECTED LOCATIONS	PROPOSED LAW
R.S. 42:15(B) - Public comment at school board meetings	School board in a parish containing a municipality with a population of 400,000+	Orleans (2000 census)	Orleans Parish School Board
R.S. 42:66(J) - Exemptions from dual officeholding and dual employment provisions	Not applicable in a parish with a population of 400,000+	Orleans and Jefferson (1990 and 2000 census); East Baton Rouge (2000 census)	Not applicable in Orleans, Jefferson, or East Baton Rouge parishes
R.S. 42:261(C) - Retention of attorney for governing authority of a parish	A parish with a population of 70,000 - 80,000 according to the 1970 decennial census	Terrebonne (1970 census)	Terrebonne

(Amends R.S. 42:15(B), 66(J), and 261(C))