

Regular Session, 2014

SENATE BILL NO. 231

BY SENATOR MURRAY

LOCAL OFFICIALS. Provides relative to the procedure to fill a vacancy in the office of constable. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 13:2583(F), relative to constables; to provide relative to the
3 appointments for vacant offices; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 13:2583(F) is hereby amended and reenacted to read as follows:

6 §2583. Constables; election; term of office; qualifications

7 * * *

8 F. When a vacancy occurs in the office of constable or marshal and the
9 unexpired term of the office is one year or less, the chief deputy shall assume such
10 position and duties and shall serve for the remainder of the unexpired term.

11 However, in those cases where there is no such person to assume the duties when the
12 vacancy occurs, the appropriate governing authority shall within ~~ten~~ **twenty** days,
13 appoint a person having the qualifications of the office to assume the duties of the
14 office for the remainder of the unexpired term. If the unexpired term exceeds one
15 year, the chief deputy or, if no such person, the person appointed, shall assume such
16 duties and position and shall serve until the successor is elected and takes office.

17 Section 2. This Act shall become effective upon signature by the governor or, if not

1 signed by the governor, upon expiration of the time for bills to become law without signature
2 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
3 vetoed by the governor and subsequently approved by the legislature, this Act shall become
4 effective on the day following such approval.

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

DIGEST

Murray (SB 231)

Present law provides that when a vacancy occurs in the office of constable or marshal and the unexpired term of the office is one year or less, absent a chief deputy, the appropriate governing authority must within ten days, appoint a person having the qualifications of the office to assume the duties of the office for the remainder of the unexpired term.

Proposed law retains present law but changes the appointment delay from ten days to 20 days for purposes of consistency with the present law found in the Louisiana Election Code.

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

(Amends R.S. 13:2583(F))