

Regular Session, 2012

SENATE BILL NO. 91

BY SENATOR JOHN SMITH

LOCAL EMPLOYEES. Authorizes a constable of a justice of the peace court in Calcasieu Parish to appoint a deputy constable. (8/1/12)

1 AN ACT  
2 To enact R.S. 13:2583.5, relative to the appointment of a deputy constable in Calcasieu  
3 Parish; to authorize a constable of a justice of the peace court in Calcasieu Parish to  
4 appoint a deputy; to provide for compensation; to provide for qualifications of office;  
5 to provide for residency requirements; to provide for prohibitions; and to provide for  
6 related matters.  
7 Be it enacted by the Legislature of Louisiana:  
8 Section 1. R.S. 13:2583.5 is hereby enacted to read as follows:  
9 **§2583.5. Deputies; oath; compensation; Calcasieu Parish**  
10 **A. Each duly elected constable of a justice of the peace court in Calcasieu**  
11 **Parish may appoint one deputy constable, if necessary, for whose acts the**  
12 **constable shall be responsible. Before entering upon his duties, each deputy**  
13 **shall take the oath required by the constitution and the laws of this state. Any**  
14 **deputy constable appointed pursuant to this Section shall not be entitled to any**  
15 **compensation from any local governing body or political subdivision, other than**  
16 **the constable's office, and shall not be entitled to any compensation from the**  
17 **state. Each constable may fix the compensation of his deputy. He may pay**

1        from the fees generated by his office any compensation due the deputy, the  
 2        premiums on bonds required by him of a deputy in charge of public funds,  
 3        insurance premiums, and any expenses necessary for the performance of duties  
 4        required of the deputy. He may issue monthly or twice per month, at his  
 5        discretion, to the deputy warrants or checks for the amounts due him.

6                B. Each deputy constable authorized by this Section shall have the same  
 7        qualifications as required by law for a constable of a justice of the peace court.  
 8        The deputy constable need not be a resident of the ward from which the  
 9        constable is elected, but he must be a resident of Calcasieu Parish.

10               C. The provisions of this Section shall have no effect on nor limit the  
 11        authority of a justice of the peace to appoint a special deputy constable pursuant  
 12        to R.S. 13:3477.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Dawn Romero Watson.

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#### DIGEST

Proposed law authorizes each duly elected constable of a justice of the peace court in Calcasieu Parish to appoint one deputy constable, for whose acts the constable shall be responsible.

Proposed law authorizes each constable to fix the compensation of his deputy and to pay from the fees generated by his office any compensation due the deputy, the premium on bonds required by him of a deputy in charge of public funds, insurance premiums and any expenses necessary for the performance of duties required of the deputy.

Proposed law prohibits a deputy constable from being paid any compensation from any local governing body or political subdivision, other than the constable's office, and provides that a deputy constable shall not be entitled to any compensation from the state.

Proposed law requires each deputy constable to have the same qualifications as required by law for a constable of a justice of the peace court and be a resident of Calcasieu Parish.

Effective August 1, 2012.

(Adds R.S. 13:2583.5)