

2015 Regular Session

HOUSE BILL NO. 239

BY REPRESENTATIVE PUGH

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

COURTS/JUSTICE OF PEACE: Authorizes each elected constable of a justice of the peace court in Tangipahoa Parish to appoint a deputy constable

1 AN ACT

2 To enact R.S. 13:2583.8, relative to constables; to authorize a constable of a justice of the  
3 peace court in Tangipahoa Parish to appoint a deputy constable; to require certain  
4 qualifications and training for deputy constables; to provide for certain procedures  
5 relative to the filing of the oaths of office; to provide relative to compensation; to  
6 provide for residency requirements; and to provide for related matters.

7 Notice of intention to introduce this Act has been published  
8 as provided by Article III, Section 13 of the Constitution of  
9 Louisiana.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 13:2583.8 is hereby enacted to read as follows:

12 §2583.8. Deputies; oath; compensation; Tangipahoa Parish

13 A. Each duly elected constable of a justice of the peace court in Tangipahoa  
14 Parish may appoint a deputy constable as necessary for whose acts he shall be  
15 responsible. The deputies, before entering upon their duties, shall take the oath  
16 required by the constitution and the laws of this state and meet the requirements of  
17 R.S. 40:2405. A duplicate copy of the oath of office shall be filed with the office of  
18 the attorney general within seventy-two hours after being administered. Any deputy  
19 constable appointed pursuant to this Section shall not be entitled to any

1        compensation from any local governing body or political subdivision, other than the  
2        constable's office, and shall not be entitled to any compensation from the state. The  
3        constable may fix the compensation of his deputy and clerical assistants. He shall  
4        pay from the fees generated by his office the compensation due to his deputy and  
5        clerical assistants, the premiums on bonds required by him of any deputy in charge  
6        of public funds, insurance premiums, if provided, and any and all other expenses of  
7        any nature whatsoever necessary for the performance of all duties required of the  
8        deputy. He shall issue monthly or twice per month, at his discretion, to employees  
9        and his deputy warrants or checks for the amounts due them.

10        B. The constable of a justice of the peace court authorized to appoint a  
11        deputy pursuant to Subsection A of this Section may designate his deputy to be the  
12        chief deputy, who shall stand in the place of the constable during his absence from  
13        the ward. The deputy constable need not be a resident of the ward from which the  
14        constable is elected, but he must be a resident of Tangipahoa Parish.

15        C. The deputy constables authorized by this Section shall have the same  
16        qualifications and training as required by law of the constable of the justice of the  
17        peace court.

18        D. The provisions of this Section shall have no effect on nor limit the  
19        authority of a justice of the peace to appoint a special deputy constable pursuant to  
20        R.S. 13:3477.

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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)]

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HB 239 Engrossed

2015 Regular Session

Pugh

**Abstract:** Authorizes each elected constable of a justice of the peace court in Tangipahoa Parish to appoint one deputy constable.

Proposed law authorizes each elected constable of a justice of the peace court in Tangipahoa Parish to appoint one deputy constable as needed and to fix the compensation of the deputy constable and clerical forces. Proposed law further provides for certain requirements relative to the oath of office.

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

Proposed law authorizes the designation of the deputy to serve as the chief deputy constable for Tangipahoa Parish.

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

(Adds R.S. 13:2583.8)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Change the authorization for the constable to appoint as many deputy constables as needed to one deputy constable who may also serve as the chief deputy constable for Tangipahoa Parish.