

Regular Session, 2009

HOUSE BILL NO. 296

BY REPRESENTATIVE HAZEL

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

SHERIFFS: Amends provisions of law specifying when deputy sheriffs take the oath of office

1 AN ACT

2 To enact R.S. 33:1433(E), relative to deputy sheriffs; to provide for time limits for the oath
3 of office; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 33:1433(E) is hereby enacted to read as follows:

6 §1433. Appointment, oath, and bond of deputies; authority and jurisdiction of
7 certain deputies

8 * * *

9 E.(1) Each deputy sheriff shall take the oath, as prescribed by law, at any
10 time after the sheriff has taken the oath of office, and give bond, when required, and
11 file the same in the proper office in the manner required by law.

12 (2) A deputy sheriff may take his oath of office subject to the time limitation
13 set forth in Subsection D of this Section. An oath taken prior to the date of the
14 commencement of the term of office shall be deemed to have been taken on and shall
15 be effective on and after the date on which the term of office for which the oath is
16 taken commences.

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)]

Hazel

HB No. 296

Abstract: Provides that deputy sheriffs may take the oath of office at any time after the sheriff has taken the oath, and that the oath shall be deemed to have been taken and is effective at the commencement of the term of office.

Present law (R.S. 42:141) provides that sheriffs may take the oath of office at any time after his commission, and that the oath shall be deemed to have been taken and is effective at the commencement of the term of office.

Present law (R.S. 33:1433) provides that before entering on their duties, deputy sheriffs shall take the oath of office, enter their appointment and oath into the records of the court, and furnish a bond.

Proposed law provides that deputy sheriffs may take the oath of office at any time after the sheriff has taken the oath, and that the oath shall be deemed to have been taken and be effective at the commencement of the term of office.

Proposed law otherwise retains present law.

(Adds R.S. 33:1433(E))