

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 deputy constables

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 as many deputy constables as necessary for whose acts he shall  
15 be 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  
20 compensation from any local governing body or political subdivision, other than the

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

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

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

17 D. The provisions of this Section shall have no effect on nor limit the  
 18 authority of a justice of the peace to appoint a special deputy constable pursuant to  
 19 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 Original

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

Proposed law authorizes each elected constable of a justice of the peace court in Tangipahoa Parish to appoint as many deputy constables as needed and to fix the compensation of the deputy constables 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 one of the deputies 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)