

2026 Regular Session

HOUSE BILL NO. 1038

BY REPRESENTATIVE BOYER

LAW ENFORCEMENT: Provides relative to the authority of a marshal to issue commissions to deputy marshals

1 AN ACT

2 To amend and reenact R.S. 13:1881(B), relative to marshals; to provide relative to the
3 appointment of deputy marshals; to provide for duties of local governing authorities;
4 to provide for a limitation; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:1881(B) is hereby amended and reenacted to read as follows:

7 §1881. General powers and duties of marshal; deputy marshals

8 * * *

9 B.(1) The marshal may appoint one or more deputy marshals having who are
10 credentialed and have the same powers and authority as the marshal, ~~but the subject~~
11 to approval from the local governing authority where the marshal has territorial
12 jurisdiction. Any deputy marshal who is approved shall be insured by the local
13 governing authority. The minimum amount of insurance coverage shall be three
14 million dollars. The marshal shall pay, from fees collected by the court of his
15 territorial jurisdiction, any costs associated with properly insuring deputy marshals,
16 unless otherwise mutually agreed to by the marshal and the respective local
17 governing authority. Each local governing authority shall notify its respective
18 marshal at the beginning of each fiscal year regarding the maximum number of
19 commissions that may be issued. If a marshal's jurisdiction extends into a ward, the
20 governing authority with the greater population amount as provided in the most

1 recent federal decennial census shall serve as the governing authority with decision-
 2 making authority over the maximum amount of allowable commissions. The
 3 marshal ~~shall be~~ is responsible for ~~their~~ the actions of the deputy marshal. The
 4 provisions of this Paragraph relative to the issuance of commissions do not pertain
 5 to any elected city marshal who also serves as the chief of police.

6 (2) The compensation of the deputy marshals shall be fixed and paid by the
 7 governing authorities of the city or cities or parish, or all governing authorities,
 8 where the court has territorial jurisdiction. The city marshal may use funds available
 9 for expenses of his office, including proceeds from costs assessed in criminal matters
 10 pursuant to R.S. 13:1899, to pay an amount in excess of the fixed salary or to pay the
 11 amount fixed or any portion ~~thereof~~ of the fixed salary to deputy marshals or to
 12 employ additional deputies. ~~However, nothing~~ Nothing in this Subsection ~~shall~~
 13 ~~authorize~~ authorizes the city marshal to fix or supplement his own salary. ~~In and in~~
 14 no event shall the salary of any deputy exceed that of his city marshal.

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)]

HB 1038 Engrossed

2026 Regular Session

Boyer

Abstract: Authorizes a marshal to issue commissions to deputy marshals and provides for related compensation.

Present law provides for general powers and duties of a marshal and the appointment of deputy marshals.

Proposed law amends present law to authorize the marshal to appoint one or more deputy marshals who are credentialed and have the same powers and authority as the marshal, subject to approval from the local governing authority where the marshal has territorial jurisdiction.

Proposed law requires the local governing authority to insure any approved deputy marshal. Further requires the minimum amount of insurance coverage to be \$3 million dollars.

Proposed law requires the marshal to pay, from fees collected by the court of his territorial jurisdiction, any costs associated with properly insuring deputy marshals, unless otherwise mutually agreed to with the respective local governing authority.

Proposed law requires each local governing authority to notify its respective marshal at the beginning of each fiscal year regarding the maximum number of commissions that may be issued.

Proposed law provides that if a marshal's jurisdiction extends into a ward, the governing authority with the greater population amount is the governing authority with decision-making authority over the maximum amount of allowable commissions.

Proposed law relative to the issuance of commissions does not pertain to any elected city marshal who also serves as the chief of police.

(Amends R.S. 13:1881(B))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Require the minimum amount of insurance coverage be \$3 million.
2. Require the marshal to pay any costs associated with properly insuring deputy marshals and clarify that the funding source for these costs are fees collected by the court of the marshal's territorial jurisdiction.
3. Clarify that proposed law relative to the issuance of deputy marshal commissions does not apply to any elected city marshal who also serves as the chief of police.
4. Make technical changes.