

First Extraordinary Session, 2005

HOUSE BILL NO. 125

BY REPRESENTATIVE TOOMY

CLERKS OF COURT: Creates judicial administrative districts for the purpose of funding the clerk's office

1 AN ACT

2 To enact R.S. 13:790.1 through 790.4, relative to the creation of certain judicial  
3 administrative districts; to provide for purposes of the districts; to provide for  
4 authority of the districts; to provide for a special fund; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:790.1 through 790.4 are hereby enacted to read as follows:

8 §790.1. Applicability; judicial administrative district

9 The judicial administrative districts authorized herein shall provide an  
10 optional and additional method of funding the office of clerk of court for all parishes  
11 with a population of less than four hundred seventy-five thousand persons according  
12 to the most recent federal decennial census.

13 §790.2. Judicial administrative district; creation; boundaries; power to incur debt

14 A.(1) There is hereby created in each parish with a population of less than  
15 four hundred seventy-five thousand persons according to the most recent federal  
16 decennial census a special district to be known as a judicial administrative district  
17 for the purpose of funding the office of clerk of court for that parish.

18 (2) The boundaries of each district shall be coterminous with the boundaries  
19 of the parish, and the duly elected clerk of court of the parish or his successor shall  
20 be ex officio chief executive officer of the district.

1                   (3) Each district shall be known as the "Judicial Administrative District of  
2                   the Parish of                   (name of parish)                   , State of Louisiana."

3                   B. Each judicial administrative district shall be a political subdivision of the  
4                   state and shall have the authority to incur debt pursuant to such constitutional and  
5                   statutory provisions of law as may be applicable to political subdivisions generally.

6                   §790.3. Disbursements from district funds

7                   All funds collected by the special district from indebtedness shall be paid into  
8                   a special fund to be established by the clerk of court in accordance with law.  
9                   Expenditures from the fund shall be subject to the public bid laws of the state of  
10                  Louisiana.

11                  §790.4. Powers of clerk of court not diminished

12                  It is the purpose of R.S. 13:790.1 through 790.4 to create special districts to  
13                  provide an additional method for financing the clerk of court's office in the affected  
14                  parishes. Nothing contained herein shall be interpreted as diminishing any of the  
15                  authority of the clerks of court as delegated to them in the constitution and laws of  
16                  this state.

17                  Section 2. This Act shall become effective upon signature by the governor or, if not  
18                  signed by the governor, upon expiration of the time for bills to become law without signature  
19                  by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
20                  vetoed by the governor and subsequently approved by the legislature, this Act shall become  
21                  effective on the day following such approval.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part  
of the legislative instrument.

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Toomy

HB No. 125

**Abstract:** Creates a judicial administrative district in certain parishes for the purpose of  
funding the office of the clerk of court by authorizing the district to incur debt.

Proposed law creates in each parish with a population of less than 475,000 according to the  
latest federal decennial census a special judicial administrative district for the purpose of  
funding the office of the clerk of court.

Proposed law provides that the boundaries of each district shall be coterminous with the boundaries of the parish and that the clerk of court of the parish shall be ex officio chief executive officer of the district.

Proposed law provides that the district shall be a political subdivision of the state and shall have authority to incur debt.

Proposed law provides that all funds collected by the district from indebtedness shall be paid into a special fund established by the clerk of court.

Proposed law provides that this is an additional method for financing the office of the clerk of court.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 13:790.1-790.4)