

Regular Session, 2009

ACT No. 133

HOUSE BILL NO. 309

BY REPRESENTATIVE GALLOT AND SENATORS THOMPSON AND WALSWORTH

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

1 AN ACT

2 To amend and reenact R.S. 13:312(2) and 312.1(B), relative to the courts of appeal; to
3 provide election sections for the election of judges to the second district of the Court
4 of Appeal for the Second Circuit; to provide for the assignment of judgeships for
5 election purposes; to provide for the election of the judges; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:312(2) and 312.1(B) are hereby amended and reenacted to read
9 as follows:

10 §312. Courts of appeal; circuits and districts

11 There shall be five court of appeal circuits, which shall be subdivided into
12 districts as follows:

13 * * *

14 2.(a) Second circuit. The parishes of Bienville, Bossier, Caddo, Caldwell,
15 Claiborne, DeSoto, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse,
16 Ouachita, Red River, Richland, Tensas, Union, Webster, West Carroll, and Winn
17 shall compose the second circuit, and the court of appeal for that circuit shall be
18 known as "Court of Appeal, Second Circuit, State of Louisiana".

19 (b) Districts of second circuit. (i) The parishes of East Carroll, Franklin,
20 Madison, Morehouse, Ouachita, Richland, Tensas, and West Carroll shall compose
21 the first district of the second circuit. The first district shall be further divided into
22 two election sections.

23 (aa) Election section one shall consist of East Carroll Parish, Madison Parish,
24 Precincts 4, 6, 7, 8, 9, 10, 11, 21, 22, 23, 24, 25, and 26 of Morehouse Parish,

Precincts 2-4, 3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-8, 3-9, 3-10, 3-11, 3-12, 3-13, 3-14, 3-15, 3-16, 3-17, 10-7, 10-8, 10-12, 10-13, 10-17, and 10-22 of Ouachita Parish, Tensas Parish, and Precincts 1, 2, 3, 4, 5, 5A, and 6 of West Carroll Parish.

(bb) Election section two shall consist of Franklin Parish, Precincts 1, 2, 3, 5, 12, 13, 14, 15, 16, 17, 18, 19, 20, 27, 28, 29, 30, 31, 32, 33 and 34 of Morehouse Parish, Precincts 1-1, 1-2, 1-3, 1-4, 1-4A, 1-5, 2-1, 2-2, 2-3, 4-1, 4-2, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 5-7, 5-8, 5-9, 5-10, 5-11, 5-12, 5-13, 5-14, 5-15, 5-16, 5-17, 5-18, 5-19, 5-20, 5-21, 6-1, 6-2, 7-1, 8-1, 8-2, 9-1, 10-1, 10-2, 10-3, 10-4, 10-5, 10-6, 10-9, 10-10, 10-11, 10-14, 10-15, 10-16, 10-18, 10-19, 10-20, and 10-21 of Ouachita Parish, Richland Parish, and Precincts 7, 8, 9, 10, 11, 12, 12A, 13, 14, 14A, 15, 16, and 17 of West Carroll Parish.

(ii) The parishes of Bienville, Bossier, Caldwell, Claiborne, Jackson, Lincoln, Union, Webster, and Winn shall compose the second district of the second circuit. The second district shall be further divided into two election sections.

(aa) Election section one shall consist of the parishes of Bienville, Caldwell, Claiborne, Jackson, Lincoln, Union, and Winn.

(bb) Election section two shall consist of the parishes of Bossier and Webster.

(iii) The parishes of Caddo, DeSoto, and Red River shall compose the third district of the second circuit. The third district shall be further divided into two election sections.

(aa) Election section one shall consist of Precincts 1, 3, 5, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 50, 51, 52, 53, 54, 55, 58, 59, 60, 61, 65, 67, 71, 73A, 73B, 80, 81, 84, 86, 96, 130, and 131 of Caddo Parish.

(bb) Election section two shall consist of Precincts 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 28, 47, 48, 49, 56A, 56B, 57, 62, 63, 64, 66, 68, 69, 70, 72, 74, 75, 76A, 76B, 77, 78, 79, 82A, 82B, 83A, 83B, 85A, 85B, 87, 88, 89A, 89B, 89C, 90A, 90B, 91A, 91B, 92, 93, 94, 95A, 95B, 97A, 97B, 98, 99, 122, 123, 124, 125, 126, 127, 128, 129, 132A, 132B, 133, 134, 135, 136, 137A, 137B,

138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 149, 150, 151, 152, 153, 154, 155,
156, 157, 158, and 159 of Caddo Parish, DeSoto Parish, and Red River Parish.

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§312.1. Circuit court of appeal; domicile; number of judges; election

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B. The Court of Appeal for the Second Circuit, domiciled in the city of Shreveport, shall have nine judges. Three judges shall be elected from each of the three districts composing the circuit by the qualified electors of each district. ~~However, in~~ In the first district, one judge, Division C, shall be elected from election section one by the qualified electors of election section one, and two judges, Divisions A and B, shall be elected from election section two by the qualified electors of election section two. In the second district, one judge shall be elected from election section one by the qualified electors of election section one; one judge shall be elected from election section two by the qualified electors of election section two; and one judge shall be elected from the second district at large. ~~And, in~~ In the third district, one judge, Division A, shall be elected from election section one by the qualified electors of election section one, and two judges, Divisions B and C, shall be elected from election section two by the qualified electors of election section two.

* * *

Section 2. The first election to fill a vacancy in a judgeship of the second district of the Court of Appeal for the Second Circuit due to the earlier of the death, resignation, retirement, removal, or incapacity of a judge serving on or after the effective date of this Act, or if no such election is called prior to December 31, 2016, the first regularly scheduled election held after December 31, 2016, to fill a judgeship of the second district of the Court of Appeal for the Second Circuit, shall be held in election section one of the second district as provided in this Act, and such judgeship shall thereafter be assigned to election section one for election purposes. Of the remaining two judgeships of the second district of the Court of Appeal for the Second Circuit, the judgeship having the division designation which occurs earlier in alphabetical order shall thereafter be assigned to election section two of the

1 second district as provided in this Act for election purposes, and the remaining judgeship
2 shall thereafter be assigned to the second district at large for election purposes.

3 Section 3. This Act shall become effective upon signature by the governor or, if not
4 signed by the governor, upon expiration of the time for bills to become law without signature
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become
7 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____