

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 232 by Senator Mills

1 AMENDMENT NO. 1

2 On page 1, line 2, after "To" delete the remainder of the line and insert:

3 "amend and reenact R.S. 13:2583.1(A) and (C), 2583.2(A) and (B), 2583.3(A), 2583.4(A)
4 and (B), 2583.5(A) and (B) and to enact R.S. 13:2583.6, relative to constables, to require
5 certain training; to provide relative to the filing of certain oaths of office;"

6 AMENDMENT NO. 2

7 On page 1, at the beginning of line 3, delete "Parish;"

8 AMENDMENT NO. 3

9 On page 1, line 8, after "Section 1." delete the remainder of the line and insert:

10 "R.S. 13:2583.1(A) and (C), 2583.2(A) and (B), 2583.3(A), 2583.4(A) and (B), 2583.5(A)
11 and (B) are hereby amended and reenacted and R.S. 13:2583.6 is hereby enacted to read as
12 follows:"

13 AMENDMENT NO. 4

14 On page 1, between lines 8 and 9, insert:

15 §2583.1. Deputies; oath; compensations

16 A. Each duly elected constable of a justice of the peace court in East Baton
17 Rouge Parish and Jefferson Parish may appoint as many deputy constables as
18 necessary for whose acts he shall be responsible. The deputies before entering upon
19 their duties, shall take the oath required by the constitution and the laws of this state
20 and meet the requirements of R.S. 40:2402 through 2406. **A duplicate copy of the**
21 **oath of office shall be filed with the office of the attorney general within seventy-**
22 **two hours after being administered.** Any deputy constable appointed pursuant to
23 this Section shall not be entitled to any compensation from any local governing body
24 or political subdivision, other than the constable's office, and shall not be entitled to
25 any compensation from the state. Each constable may fix the compensation of his
26 deputies and clerical forces. He shall pay from the fees generated by his office the
27 compensation due all deputies and clerical assistants, the premiums on bonds
28 required by him of any deputy in charge of public funds, insurance premiums, if
29 provided, and any and all other expenses of any nature whatsoever necessary for the
30 performance of all duties required of the deputy. He shall issue monthly or twice per
31 month, at his discretion, to employees and deputies warrants or checks for the
32 amounts due them.

33 * * *

34 C. The deputy constables authorized by this Section shall have the same
35 qualifications **and training** as required by law of the constable of the justice of the
36 peace court. The deputy constable need not be a resident of the ward from which the
37 constable is elected, but he must be a resident of the parish within which the ward
38 is located.

39 * * *

40 §2583.2. Deputies; oath; compensations; Union Parish

41 A. Each duly elected constable of a justice of the peace court in Union Parish
42 may appoint one deputy constable, if necessary, for whose acts the constable shall
43 be responsible. Before entering upon his duties, each deputy shall take the oath
44 required by the constitution and the laws of this state **and meet the requirements**

1 **of R.S. 40:2402 and 2406. A duplicate copy of the oath of office shall be filed**
 2 **with the office of the attorney general within seventy-two hours after being**
 3 **administered.** Any deputy constable appointed pursuant to this Section shall not be
 4 entitled to any compensation from any local governing body or political subdivision,
 5 other than the constable's office, and shall not be entitled to any compensation from
 6 the state. Each constable may fix the compensation of his deputy. He shall pay from
 7 the fees generated by his office the compensation due the deputy, the premiums on
 8 bonds required by him of a deputy in charge of public funds, insurance premiums,
 9 if provided, and any and all other expenses of any nature whatsoever necessary for
 10 the performance of all duties required of the deputy. He shall issue monthly or twice
 11 per month, at his discretion, to the deputy warrants or checks for the amounts due
 12 him.

13 B. Each deputy constable authorized by this Section shall have the same
 14 qualifications **and training** as required by law for a constable of a justice of the
 15 peace court. The deputy constable need not be a resident of the ward from which the
 16 constable is elected, but he must be a resident of Union Parish.

17 * * *

18 §2583.3. Deputies; oath; compensations; Caddo Parish

19 A. Each duly elected constable of a justice of the peace court in Caddo Parish
 20 may appoint one or more deputy constables, if necessary, for whose acts the
 21 constable shall be responsible. Before entering upon his duties, each deputy shall
 22 take the oath required by the constitution and the laws of this state **and meet the**
 23 **requirements of R.S. 40:2402 and 2406. A duplicate copy of the oath of office**
 24 **shall be filed with the office of the attorney general within seventy-two hours**
 25 **after being administered.** Any deputy constable appointed pursuant to this Section
 26 shall not be entitled to any compensation from any local governing body or political
 27 subdivision, other than the constable's office, and shall not be entitled to any
 28 compensation from the state. Each constable may fix the compensation of his deputy
 29 or deputies. He may pay from the fees generated by his office any compensation due
 30 to a deputy, the premiums on bonds required by him of a deputy in charge of public
 31 funds, insurance premiums, and any expenses necessary for the performance of
 32 duties required of a deputy. He may issue monthly or twice per month, at his
 33 discretion, warrants or checks for the amounts due to a deputy.

34 * * *

35 §2583.4. Deputies; oath; compensation; Ascension Parish

36 A. Each duly elected constable of a justice of the peace court in Ascension
 37 Parish may appoint one deputy constable, if necessary, for whose acts the constable
 38 shall be responsible. Before entering upon his duties, each deputy shall take the oath
 39 required by the constitution and the laws of this state **and meet the requirements**
 40 **of R.S. 40:2402 and 2406. A duplicate copy of the oath of office shall be filed**
 41 **with the office of the attorney general within seventy-two hours after being**
 42 **administered.** Any deputy constable appointed pursuant to this Section shall not be
 43 entitled to any compensation from any local governing body or political subdivision,
 44 other than the constable's office, and shall not be entitled to any compensation from
 45 the state. Each constable may fix the compensation of his deputy. He may pay from
 46 the fees generated by his office any compensation due the deputy, the premiums on
 47 bonds required by him of a deputy in charge of public funds, insurance premiums,
 48 and any expenses necessary for the performance of duties required of the deputy. He
 49 may issue monthly or twice per month, at his discretion, to the deputy warrants or
 50 checks for the amounts due him.

51 B. Each deputy constable authorized by this Section shall have the same
 52 qualifications **and training** as required by law for a constable of a justice of the
 53 peace court. The deputy constable need not be a resident of the ward from which the
 54 constable is elected, but he must be a resident of Ascension Parish.

55 * * *

56 §2583.5. Deputies; oath; compensation; Calcasieu Parish

57 A. Each duly elected constable of a justice of the peace court in Calcasieu
 58 Parish may appoint one deputy constable, if necessary, for whose acts the constable
 59 shall be responsible. Before entering upon his duties, each deputy shall take the oath
 60 required by the constitution and the laws of this state **and meet the requirements**
 61 **of R.S. 40:2402 and 2406. A duplicate copy of the oath of office shall be filed**

1 **with the office of the attorney general within seventy-two hours after being**
2 **administered.** Any deputy constable appointed pursuant to this Section shall not be
3 entitled to any compensation from any local governing body or political subdivision,
4 other than the constable's office, and shall not be entitled to any compensation from
5 the state. Each constable may fix the compensation of his deputy. He may pay from
6 the fees generated by his office any compensation due the deputy, the premiums on
7 bonds required by him of a deputy in charge of public funds, insurance premiums,
8 and any expenses necessary for the performance of duties required of the deputy. He
9 may issue monthly or twice per month, at his discretion, to the deputy warrants or
10 checks for the amounts due him.

11 B. Each deputy constable authorized by this Section shall have the same
12 qualifications **and training** as required by law for a constable of a justice of the
13 peace court. The deputy constable need not be a resident of the ward from which the
14 constable is elected, but he must be a resident of Calcasieu Parish.

15 * * *

16 AMENDMENT NO. 5

17 On page 1, line 11, delete "**or more**" and change "**constables**" to "**constable**"

18 AMENDMENT NO. 6

19 On page 1, at the beginning of line 13, change "**each**" to "**the**"

20 AMENDMENT NO. 7

21 On page 1, line 14, change "**Any**" to "**The**"

22 AMENDMENT NO. 8

23 On page 2, line 1, delete "**or deputies**"

24 AMENDMENT NO. 9

25 On page 2, line 7, after "**B.**" change "**Each**" to "**The**"

26 AMENDMENT NO. 10

27 On page 2, at the beginning of line 9, change "**A**" to "**However, a**"