

Regular Session, 2012

HOUSE BILL NO. 103

BY REPRESENTATIVE THIERRY

CLERKS OF COURT: Authorizes an automobile expense allowance for the East Feliciana, West Feliciana, and St. Landry Parish clerk of court

1 AN ACT

2 To amend and reenact R.S. 13:783(D)(1)(a) and (7), relative to the clerks of court for East
3 Feliciana Parish, West Feliciana Parish, and St. Landry Parish; to exempt the clerks
4 of court for East Feliciana Parish, West Feliciana Parish, and St. Landry Parish from
5 obtaining consent from the governing authority to purchase an automobile; to
6 authorize an automobile expense allowance for the East Feliciana Parish, West
7 Feliciana Parish, and St. Landry Parish clerks of court; to require automobile
8 insurance for bodily injury and property damage; to allocate surplus funds to the
9 expense allowance; to prohibit additional expenses from being paid by the state or
10 local governing authority; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 13:783(D)(1)(a) and (7) are hereby amended and reenacted to read
13 as follows:

14 §783. Expenses of clerk's office

15 * * *

16 D.(1)(a)(i) Each of the clerks of the district courts is hereby authorized to
17 purchase, out of any surplus in his salary fund, an automobile for the use of his
18 office, after having first obtained the consent of the governing authority of the parish.

(ii) However, the consent of the governing authority shall not be necessary as to any clerk of court who prior to July 29, 1970, has purchased an automobile under authority of any previously enacted law.

(iii) The clerks of the district courts in East Feliciana Parish, West Feliciana Parish, and St. Landry Parish shall be exempt from obtaining consent from the governing authority to purchase an automobile for office use.

* * *

(7) In Acadia Parish, East Feliciana Parish, Iberia Parish, Red River Parish, St. Landry Parish, St. Tammany Parish, Tangipahoa Parish, ~~and~~ Washington Parish, and West Feliciana Parish, the clerks of the district courts of those parishes may receive an automobile expense allowance equal to fifteen percent of their annual salary, provided the clerk of court maintains three hundred thousand dollars of automobile insurance per accident for bodily injury and one hundred thousand dollars of automobile insurance per accident for property damage. The expense allowance shall come from surplus funds in each of the offices of the clerks of court and at no additional expense to the state or local governing authority.

* * *

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)]

Thierry

HB No. 103

Abstract: Exempts the clerks of court of East Feliciana Parish, West Feliciana Parish, and St. Landry Parish from having to obtain consent to purchase an automobile for office use, and authorizes an automobile expense allowance equal to 15% of the clerk's annual salary provided that a certain amount of automobile insurance is maintained.

Present law authorizes each of the clerks of the district courts to purchase an automobile for office use after obtaining consent of the governing authority of the parish.

Proposed law retains present law except that it exempts the clerks of court of East Feliciana Parish, West Feliciana Parish, and St. Landry Parish from obtaining prior consent of the governing authority of the parish.

Present law authorizes the clerks of the district courts of the parishes of Acadia, Iberia, Red River, St. Tammany, Tangipahoa, and Washington to receive an automobile expense allowance equal to 15% of their annual salary provided the clerk of court maintains

\$300,000 of automobile insurance per accident for bodily injury and \$100,000 of automobile insurance per accident for property damage.

Present law requires the expense allowance to come from surplus funds in each of the offices of the clerks of court and at no additional expense to the state or local governing authority.

Proposed law retains present law and adds the clerks for the district court of East Feliciana Parish, West Feliciana Parish, and St. Landry Parish.

(Amends R.S. 13:783(D)(1)(a) and (7))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Judiciary to the original bill.

1. Added a provision to exempt the clerks of court of East Feliciana Parish and St. Landry Parish from obtaining prior consent from the governing authority to purchase an automobile for office use.
2. Added a provision that authorized the clerk of the district court of East Feliciana Parish to receive an automobile expense allowance.

House Floor Amendments to the engrossed bill.

1. Added a provision to exempt the clerk of court of West Feliciana Parish from obtaining prior consent from the governing authority to purchase an automobile for office use.
2. Added a provision that authorized the clerk of the district court of West Feliciana Parish to receive an automobile expense allowance.