HLS 13RS-753 ENGROSSED

Regular Session, 2013

HOUSE BILL NO. 174

BY REPRESENTATIVE ARNOLD

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

CLERKS OF COURT: Provides for an increase in salary for clerks of court

1	AN ACT
2	To amend and reenact R.S. 13:782(A) and to repeal R.S. 13:782(K), relative to clerks of
3	districts courts; to provide for an increase in annual compensation for clerks of
4	district courts; to require annual certification training; and to provide for related
5	matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 13:782(A) is hereby amended and reenacted to read as follows:
8	§782. Compensation of clerks
9	A.(1) Clerks of district courts of the various parishes shall establish their
10	own rates of annual compensation for their services, payable out of the clerk's salary
11	fund, which rates shall not exceed the following amounts based on the applicable
12	population of the respective parishes, according to the latest United States census or
13	the population estimates published pursuant to the United States Bureau of the
14	Census Federal State Cooperative Program for Population Estimates as follows:
15	Population Compensation
16	(a) Less than 50,000 \$ 88,000
17	(b) 50,000-200,000 \$ 98,000
18	(c) Over 200,000 \$108,000
19	(d) The annual compensation for each population class shall be increased by
20	four percent annually through Fiscal Year 2016-2017. The applicable compensation

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for each fiscal year shall be used to calculate any compensation granted by

Subsection J of this Section for the fiscal year.

(2) A clerk is eligible to receive a salary increase as provided for by this

- (2) A clerk is eligible to receive a salary increase as provided for by this Subsection if the clerk completes the annual certification updates and renewal courses as provided for in Subparagraph (I)(4)(c) of this Section.
- (3) Nothing in this Section shall be construed to limit clerks from participation in an approved state deferred compensation plan as specified in R.S. 42:1301 et seq. A clerk shall not authorize or receive an employer contribution that would be more favorable than that offered to the employees of the clerk's office.

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Section 2. R.S. 13:782(K) is hereby repealed in its entirety.

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

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)]

Arnold HB No. 174

Abstract: Authorizes a 4% increase in compensation for clerks of district courts through Fiscal Year 2016-2017.

<u>Present law</u> authorizes clerks of district courts of the various parishes to establish their own rates of annual compensation not to exceed a certain amount, based on the population of their parishes according to the latest U.S. census or estimates published pursuant to the U.S. Bureau of the Census Federal State Cooperative Program for Population Estimates.

<u>Present law</u> further provides that the annual compensation cannot exceed the following amounts based on population:

Population: Compensation:

(1) Less than 50,000 \$ 88,000

(2) 50,000-200,000 \$ 98,000

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(3) Over 200,000

\$108,000

Proposed law authorizes an annual 4% increase through FY 2016-2017.

<u>Proposed law</u> provides that the applicable fiscal year compensation should be used to calculate the increase authorized by <u>present law</u> for approved completion of the clerks of court certification program.

<u>Proposed law</u> requires that a clerk must complete the annual certification update and renewal course to be eligible to receive the salary increase.

<u>Proposed law</u> deletes an obsolete provision of <u>present law</u> which provides that the clerks' salary begins in FY 1997-1998.

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

(Amends R.S. 13:782(A); Repeals R.S. 13:782(K))

Summary of Amendments Adopted by House

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

1. Changed the increase in salary <u>from</u> beginning in Fiscal Year 2012-2013 <u>to</u> an annual increase through Fiscal Year 2016-2017.