

Regular Session, 2013

HOUSE BILL NO. 561

BY REPRESENTATIVES TIM BURNS, ADAMS, BADON, BERTHELOT, WESLEY BISHOP, BROADWATER, BROSSETT, BURFORD, CARTER, CROMER, GAROFALO, GISCLAIR, HENRY, HODGES, LEGER, LEOPOLD, LORUSSO, MACK, MILLER, MORENO, PEARSON, RITCHIE, SCHRODER, SIMON, ST. GERMAIN, TALBOT, THOMPSON, AND WILLMOTT AND SENATOR NEVERS

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

1 AN ACT

2 To enact R.S. 13:5725 and to repeal R.S. 13:5724, relative to the coroner of St. Tammany
3 Parish; to require the governing authority of St. Tammany Parish to collect certain
4 tax revenues levied for purposes of the St. Tammany Parish coroner's office; to
5 require all collected revenues to be deposited into a special account for designated
6 use; to require the governing authority to establish an annual salary for the St.
7 Tammany Parish coroner; to require the governing authority to establish the salaries
8 of employees of the coroner's office; to provide for certain responsibilities of the
9 governing authority relative to the use of the tax proceeds; to provide for an effective
10 date; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 13:5725 is hereby enacted to read as follows:

13 §5725. St. Tammany Parish; coroner; powers and duties; compensation of coroner
14 and employees

15 A. The governing authority of St. Tammany Parish shall receive all tax
16 revenues collected from the ad valorem tax levied by St. Tammany Parish for
17 coroner purposes and approved by a majority of the electors of the parish at an
18 election held for that purpose on November 2, 2004, including any extensions or
19 renewals thereof. The St. Tammany Parish coroner's office shall transfer any and all
20 funds on hand received from the ad valorem tax to the governing authority of St.
21 Tammany Parish, less and except amounts needed for operation for the remainder

1 of calendar year 2013, with the amount being determined by the St. Tammany Parish
2 Department of Finance. Any contracts or purchase agreements entered into by the
3 St. Tammany Parish coroner's office shall require approval or ratification by the
4 governing authority of St. Tammany Parish.

5 B. The revenues collected by the governing authority pursuant to Subsection
6 A of this Section shall be deposited into a special account and expended solely for
7 the purposes set forth in the ad valorem tax proposition approved by the voters on
8 November 2, 2004, less and except St. Tammany Parish's administrative fees, costs
9 associated with administration of the ad valorem tax levied, St Tammany Parish's
10 costs associated with oversight of the St. Tammany Parish coroner's office, and
11 amounts necessary to service bonds or other debt obligations secured by the ad
12 valorem tax. St. Tammany Parish shall be deemed to have fully and completely met
13 its obligations to fund the St. Tammany Parish coroner's office as set forth in R.S.
14 13:5706 and 5710. Notwithstanding any provisions of law to the contrary, St.
15 Tammany Parish shall not be obligated to pay any other fee or cost and all
16 obligations to the coroner are limited as provided for in this Subsection.

17 C.(1) All salaries or fees associated with the operation of the coroner's office
18 shall be funded and paid from revenues collected pursuant to Subsection A of this
19 Section.

20 (2) An annual salary shall be established by the governing authority of the
21 parish of St. Tammany to be paid to the coroner in lieu of all fees for his services as
22 parish coroner, ex officio parish physician, or health officer.

23 (3) The governing authority shall also establish an annual salary for the
24 deputy or assistant coroners, secretaries, stenographers, clerks, technicians,
25 investigators, official photographers, or other employees.

26 D. The coroner of St. Tammany Parish shall not own or acquire immovable
27 property. Any and all immovable property, including buildings, component parts
28 and other appurtenances, previously owned by St. Tammany Parish and transferred
29 to the St. Tammany Parish coroner's office shall be transferred to the governing

1 authority of St. Tammany Parish free and clear of all mortgages, liens, or other
2 encumbrances within six months of the effective date of this Section.

3 E. Within six months of the effective date of this Section, the governing
4 authority of St. Tammany Parish and the St. Tammany Parish coroner's office shall
5 enter into a restated cooperative endeavor agreement, including but not limited to the
6 following provisions:

7 (1) Requiring use of all tax revenues in strict conformity with the tax
8 proposition approved by the voters.

9 (2) Requiring compliance with public bid and procurement laws.

10 (3) Annual forensic audits as required at the sole discretion of the governing
11 authority of St. Tammany Parish, in addition to any other audits required by law, for
12 review by the governing authority of St. Tammany Parish.

13 Section 2. R.S.13:5724 is hereby repealed in its entirety.

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____