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The original instrument was prepared by Angela Lockett De Jean. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

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SB 237 Reengrossed

DIGEST  
2015 Regular Session

Murray

Present law relative to courts of limited jurisdiction provides that in the City Court of Bossier City, the City Court of Ville Platte, and any city court in which the population of the territorial jurisdiction is less than fifty thousand, except as otherwise specifically provided by law, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed \$15,000.

Present law further provides that in the City Court of Bogalusa, the City Court of Bunkie, the City Court of Eunice, the City Court of Lake Charles, the City Court of Marksville, the City Court of Natchitoches, a city court in New Orleans, the City Court of Opelousas, the City Court of Port Allen, the City Court of Sulphur, and the City Court of Winnsboro, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed \$25,000.

Present law also provides that in the City Court of Abbeville, the City Court of Baker, the City Court of Baton Rouge, the City Court of Kaplan, the City Court of Leesville, the City Court of Minden, the City Court of Plaquemine, the City Court of Shreveport, the City Court of Springhill, and the City Court of Zachary, the civil jurisdiction is concurrent with the district court in cases where the amount in dispute, or the value of the property involved, does not exceed \$35,000.

Proposed law retains these provisions except as to the City Court of Ville Platte and provides that the City Court of Ville Platte has civil jurisdiction concurrent with the district court in cases where the amount in dispute, or the value of the property involved does not exceed \$25,000.

Present law provides that the sheriff of the parish of Orleans and the constables of the First and Second City Courts of New Orleans and their deputies are granted the powers of peace officers, including requirement of incarceration of subjects and exemption from liability for official actions.

Proposed law provides that the constables of the First and Second City Court of New Orleans and their deputies be granted the powers of peace officers when acting under the discretion and control of the constables and when carrying out the duties of the court, and are authorized to require incarceration of the subject involved in any of the city, parish or state prisons, precinct stations, or houses of detention in the parish of Orleans. Provides that they be exempt from liability for their actions in the exercise of this power in the same manner and fashion as liability is excluded generally for peace officers of this state and political subdivisions.

Present law provides that in civil matters, the clerks and constables of the city courts of New Orleans have the same powers and duties as provided by the applicable provisions of law for clerks and

marshals of city courts generally.

Proposed law retains present law and adds that the constables of the First and Second City Court of New Orleans and their deputies, under the discretion and control of the constable, shall have the same power to make arrests, in and upon the property within the jurisdiction of the constables' offices and shall have all the powers of sheriffs as a peace officer in all places and on all premises under the jurisdiction and control of the constable, as well as to execute the mandates of the court. Further requires that any person arrested by a deputy of the constable be forthwith surrendered or delivered to the sheriff of the parish of Orleans and that this shall not prevent the New Orleans city police or the sheriff of the parish of Orleans or a deputy from making arrests. Requires that the constable make rules and regulation for the conduct, management, and control of their deputies and may from time to time enlarge, modify, or change such rules and regulations.

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

(Amends C.C.P. Art. 4843(C) and (E) and R.S. 13:1311, 2154, and 2163)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Added changing City Court of Ville Platte jurisdiction from \$15K to \$25K.
2. Modified changing jurisdiction of a city court in New Orleans from \$25K to \$35K instead of \$50K.
3. Added provisions relative to constables.

##### Senate Floor Amendments to engrossed bill

1. Expands application of proposed law to the constable of the Second City Court of New Orleans.