

2016 Regular Session

SENATE BILL NO. 405

BY SENATOR LAMBERT

ELECTED OFFICIALS. Creates an exemption to the dual officeholding and dual employment law to allow a full-time deputy assessor to hold elective office as municipal councilman. (8/1/16)

AN ACT

To enact R.S. 42:66(Q), relative to dual officeholding; to provide relative to exceptions involving persons employed in a deputy assessor capacity; to provide for the applicability of an exception relative to deputy assessors; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:66(Q) is hereby enacted to read as follows:

§66. Exemptions

* * *

Q. Nothing in this Part shall be construed to prevent a person employed as a full-time deputy assessor from holding at the same time an elective office as municipal councilman.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by J. Ashley Mitchell Carter.

DIGEST

SB 405 Original

2016 Regular Session

Lambert

Present law regulates dual officeholding and dual employment in order to prevent conflicts of interest and to promote and maintain citizen trust in government. Prohibits a person from

holding certain offices and employment at the same time.

Present law prohibits a person holding office or employment in one branch of state government from at the same time holding another office or employment in any other branch of state government.

Present law prohibits a person who holds an elective office in state government from at the same time holding another elective office, a full-time appointive office, or employment in state government or in the government of a political subdivision.

Present law prohibits a person holding an elective office in a political subdivision from at the same time holding another elective office or full-time appointive office in state government or in the government of a political subdivision. Provides that no such person will hold at the same time employment in state government, or in the same political subdivision in which he holds an elective office. Provides further that no sheriff, assessor, or clerk of court will hold any office or employment under a parish governing authority or school board, nor will any member of any parish governing authority or school board hold any office or employment with any sheriff, assessor, or clerk of court.

Present law prohibits a person holding a full-time appointive office or full-time employment in state government or a political subdivision from at the same time holding another full-time appointive office or full-time employment in state government, in the government of a political subdivision, or in a combination of these.

Present law, in addition to the above prohibitions, provides for certain incompatible offices and positions based on the authority and duties of each office or positions.

Proposed law retains present law but provides for an exception to allow persons employed full-time as a deputy assessor to, at the same time, hold elective office as a municipal councilman.

Effective August 1, 2016.

(Adds R.S. 42:66(Q))