

2018 Regular Session

HOUSE BILL NO. 708

BY REPRESENTATIVE CREWS

CRIME: Provides for an exception to the crime of political payroll padding by a sheriff

1 AN ACT

2 To amend and reenact R.S. 14:139.1(A), (B), and (C), relative to payroll padding; to provide  
3 relative to the exceptions to the crime of payroll padding; to provide an additional  
4 exception for an increase in expenses necessitated by the completion of a new or  
5 expansion of a facility that provides support services to the office of the sheriff; and  
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:139.1(A), (B), and (C) are hereby amended and reenacted to read  
9 as follows:

10 §139.1. Political payroll padding by sheriff; sale of assets of sheriff's office  
11 prohibited

12 A. During the six months preceding a gubernatorial election and during the  
13 time interval between the gubernatorial election and the first day of July following  
14 election, it shall be unlawful for any sheriff to do any of the following:

15 (1) Increase the number of deputies or employees in his office by more than  
16 five percent over the average number of such employees for each of the first six  
17 months of the twelve months preceding ~~said~~ the election; ~~or~~.

18 (2) Increase the payroll or other operating expenses of his office more than  
19 fifteen percent over its average amount of such expenditures for each of the months  
20 of the first six months of the twelve months preceding ~~said~~ the election; ~~or~~.



- (3) Transfer title and ownership of the capital assets of his office of a value in excess of 10% of the total value of assets as reflected in the current inventory filed in the office of the sheriff on date of the first primary election.

In this regard, proposed law corrects an outdated reference to the primary election system by referring to the primary election instead of the "first" primary election.

Present law provides that these provisions shall not apply when the increases or decreases are necessitated by flood, invasion by common enemy, or other public emergency; nor to any increase based upon the utilization of additional revenue from a tax district election or to an increase necessitated by the completion of a new or expansion of an existing prison facility.

Proposed law extends this exception to apply to an increase necessitated by the completion of a new or expanded emergency communications call or dispatch center.

(Amends R.S. 14:139.1(A), (B), and (C))

#### Summary of Amendments Adopted by House

##### The House Floor Amendments to the engrossed bill:

1. Correct outdated reference to the primary election system by referring to the "primary election" instead of the "first primary election".
2. Remove from the proposed law exception an increase necessitated by the completion of a new or expanded facility that provides support services to the office of the sheriff.