

2020 Regular Session

HOUSE BILL NO. 144

BY REPRESENTATIVE GREEN

PUBLIC OFFICIALS: Provides relative to the mandatory age limitation for certain elected officials

1 AN ACT

2 To amend and reenact R.S. 13:2582(A) and 2583(A), relative to certain elected officials; to
3 provide relative to the office of justice of the peace; to provide relative to the office
4 of constable; to provide relative to qualifications; to provide for the elimination of
5 the mandatory age limit of justices of the peace and constables; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:2582(A) and 2583(A) are hereby amended and reenacted to read
9 as follows:

10 §2582. Justices of the peace; qualifications; election; term of office; nullity; persons
11 ineligible

12 A.(+) Each justice of the peace shall be of good moral character, a qualified
13 elector, a resident of the ward and district from which elected, and able to read and
14 write the English language correctly. Each person qualifying for the office of justice
15 of the peace shall possess a high school diploma or its equivalent as determined by
16 the State Board of Elementary and Secondary Education by the date of qualification
17 to run for office in the year 2008. Each shall possess such other qualifications as are
18 provided by law.

19 ~~(2)(a) Beginning in the year 2008, to qualify to run for the office of justice~~
20 ~~of the peace, a person shall not have attained the age of seventy years by the date of~~

1 ~~qualification to run for office. A justice of the peace who attains seventy years of~~
2 ~~age while serving a term of office shall be allowed to complete that term of office.~~

3 ~~(b) The provisions of Subparagraph (a) of this Paragraph shall not apply to~~
4 ~~those justices of the peace who are serving as a justice of the peace or elected to the~~
5 ~~office of justice of the peace on or before August 15, 2006.~~

6 * * *

7 §2583. Constables; election; term of office; qualifications

8 A.~~(1)~~ There shall be one constable for the court of each justice of the peace
9 in the several parishes of the state, who shall be of good moral character, be able to
10 read and write the English language, possess a high school diploma or its equivalent
11 as determined by the State Board of Elementary and Secondary Education, and be
12 an elector and resident of the ward or district from which elected. However, the
13 requirement of a high school diploma or its equivalent does not apply to any
14 constable who was in office as a constable or elected to the office of constable on or
15 before November 19, 1995, in terms of his qualification to remain in office or to seek
16 reelection to a consecutive term. He shall possess such other qualifications as are
17 provided by law.

18 ~~(2)(a) Beginning in the year 2008, to qualify to run for the office of~~
19 ~~constable, a person shall not have attained the age of seventy years by the date of~~
20 ~~qualification to run for office. A constable who attains seventy years of age while~~
21 ~~serving a term of office shall be allowed to complete that term of office.~~

22 ~~(b) The provisions of Subparagraph (a) of this Paragraph shall not apply to~~
23 ~~those constables who are serving as a constable or elected to the office of constable~~
24 ~~on or before August 15, 2006.~~

25 * * *

26 Section 2. This Act shall become effective upon signature by the governor
27 or, if not signed by the governor, upon expiration of the time for bills to become law
28 without signature by the governor, as provided by Article III, Section 18 of the

- 1 Constitution of Louisiana. If vetoed by the governor and subsequently approved by
2 the legislature, this Act shall become effective on the day following such approval.
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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)]

HB 144 Engrossed

2020 Regular Session

Green

Abstract: Eliminates the age limit for all justices of the peace and constables.

Present law provides that beginning in the year 2008, to qualify to run for the office of justice of the peace and constable, a person shall not have attained the age of 70 years by the date of qualification to run for office.

Present law further provides that a justice of the peace and a constable who attains 70 years of age while serving a term of office shall be allowed to complete that term of office.

Present law also provides that the present law provision shall not apply to those justices of the peace or constables who are serving as a justice of the peace or a constable or who are elected to the office of justice of the peace or constable on or before Aug. 15, 2006.

Proposed law eliminates the age limit for all justices of the peace and constables.

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

(Amends R.S. 13:2582(A) and 2583(A))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Add an effective date based upon the signature of the governor.