

2023 Regular Session

HOUSE BILL NO. 105

BY REPRESENTATIVE CARRIER

HOUSING/AUTHORITIES: Provides relative to the civil service status of employees of Kinder Public Housing Authority

1 AN ACT

2 To enact R.S. 40:539(C)(8)(n), relative to employees of the Kinder Public Housing  
3 Authority; to provide that employees of the authority shall not be in the state civil  
4 service; to provide for an effective date; and to provide for related matters.

5 Notice of intention to introduce this Act has been published  
6 as provided by Article III, Section 13 of the Constitution of  
7 Louisiana.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 40:539(C)(8)(n) is hereby enacted to read as follows:

10 §539. Selection of chairman and vice chairman; executive director; hiring of  
11 employees

12 \* \* \*

13 C.

14 \* \* \*

15 (8)

16 \* \* \*

17 (n) Notwithstanding Subparagraph (a) of this Paragraph or of any other law  
18 to the contrary, the Kinder Public Housing Authority shall not be considered an  
19 instrumentality of the state for purposes of Article X, Section 1(A) of the

1           Constitution of Louisiana, and employees of the authority shall not be included in the  
2           state civil service.

3           Section 2. This Act shall become effective upon signature by the governor or, if not  
4 signed by the governor, upon expiration of the time for bills to become law without signature  
5 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If  
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
7 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)]

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HB 105 Original

2023 Regular Session

Carrier

**Abstract:** Provides that employees of Kinder Public Housing Authority shall not be included in the state civil service.

Present constitution (Art. X, §1(A)) provides that state civil service includes all persons holding offices and positions of trust or employment in the employ of the state, or any instrumentality thereof, or any joint state-federal, state-parochial, or state-municipal agency. Excludes members of the state police service and persons holding offices and positions of any municipal board of health or local governmental subdivision.

Present law provides that all employees of housing authorities shall be in the classified state civil service, except as provided in the constitution or as may be authorized by the State Civil Service Commission. Present law also excepts from this requirement: authority members, the executive director and one other employee whom the authority designates, and professional employees employed on a contract basis.

Present law provides that the housing authorities in specified cities shall not be considered instrumentalities of the state for purposes of present constitution and that employees of those authorities shall not be included in the state civil service.

Proposed law additionally provides that Kinder Public Housing Authority shall not be considered an instrumentality of the state for purposes of present constitution and that employees of the authority shall not be included in the state civil service.

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

(Adds R.S. 40:539(C)(8)(n))