

2023 Regular Session

HOUSE BILL NO. 226

BY REPRESENTATIVE FARNUM

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COURTS: Provides relative to marshals and constables

1 AN ACT

2 To amend and reenact R.S. 13:1879 and 2583.1(C), relative to certain marshals and
3 constables of city courts; to provide relative to elections and designations of
4 marshals and constables; to provide for the designation of the marshal of the city of
5 Sulphur; to provide relative to qualifications of deputy constables; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:1879 and 2583.1(C) are hereby amended and reenacted to read
9 as follows:

10 §1879. Marshals and constables; election; term of office; exceptions ~~for Lake~~
11 ~~Charles and Baton Rouge~~

12 A.(1) For ~~Except as provided in Subsection B of this Section,~~ for each city
13 court, ~~except in the city of Lake Charles,~~ there shall be a marshal or constable, as he
14 may be designated. ~~Except as provided in Subsection C Paragraph (B)(1) of this~~
15 Section, each marshal or constable shall be elected at the congressional election,
16 beginning in the year 1960 and every succeeding six years thereafter, shall serve a
17 term of six years, and shall take office and begin his term on the first day of January
18 following election. ~~In the city of Lake Charles, the marshal shall be designated as~~
19 ~~the ward three marshal.~~

1 ~~B.(2)~~ Except as provided in ~~Sub-section C~~ Paragraph (B)(1) of this Section,
 2 the term of office of marshals of city courts, whether their respective offices are
 3 presently in existence or are subsequently created shall expire on the 31st day of
 4 December in the year 1960 and every six years thereafter.

5 ~~C.B.(1)~~ The city constable of the city of Baton Rouge shall be elected in
 6 accordance with and pursuant to the applicable provisions of the charter of the city
 7 of Baton Rouge and the applicable provisions of the plan of government for the
 8 parish of East Baton Rouge and the city of Baton Rouge.

9 (2) In the city of Lake Charles, the marshal shall be designated as the ward
 10 three marshal.

11 (3) In the city of Sulphur, the marshal shall be designated as the ward four
 12 marshal.

13 ~~D.C.~~ Except as otherwise provided by law, the provisions of this Part relating
 14 to marshals of city courts and their deputies shall apply to constables of city courts
 15 and their deputies.

16 * * *

17 §2583.1. Deputies; oath; compensation

18 * * *

19 C. The deputy constables authorized by this Section shall have the same
 20 qualifications and training as required by law of the constable of the justice of the
 21 peace court. The deputy constable need not be a resident of the ward from which the
 22 constable is elected, but he must be a resident of ~~the parish within which the ward~~
 23 ~~is located~~ this state.

24 * * *

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 226 Engrossed

2023 Regular Session

Farnum

Abstract: Provides relative to the designation of the marshal of the city court of Sulphur and qualifications of deputy constables.

Present law provides that a marshal or constable, except the marshal of the city court of Lake Charles, may be designated for each city court.

Proposed law adds an exception for the marshal of the city of Sulphur and designates the marshal as the ward four marshal.

Present law provides that a deputy constable must be a resident of the parish within which the elected constable's ward is located.

Proposed law changes the requirement that the deputy constable be a resident of the parish within which the elected constable's ward is located and requires the deputy constable to be a resident of this state.

(Amends R.S. 13:1879 and 2583.1(C))

Summary of Amendments Adopted by House

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

1. Remove provisions which provide for the compensation of certain marshals and constables.
2. Change from the requirement that the deputy constable be a resident of the parish within which the elected constable's ward is located to the requirement that the deputy constable be a resident of this state.