HLS 24RS-302 ORIGINAL

2024 Regular Session

HOUSE BILL NO. 926

1

BY REPRESENTATIVE LYONS

REAPPORTIONMENT/JUDGES: Provides for the election of judges of the first district of the Fifth Circuit Court of Appeal

AN ACT

2 To amend and reenact R.S. 13:312(5)(b)(i) and 312.1(E)(2), relative to the Fifth Circuit 3 Court of Appeal; to provide for the election of judges from the first district of the 4 Fifth Circuit Court of Appeal; to provide for the redistricting of judges; to provide 5 for election sections; to provide for the filling of vacancies; to provide for 6 effectiveness; and to provide for related matters. 7 Be it enacted by the Legislature of Louisiana: 8 Section 1. R.S. 13:312(5)(b)(i) and 312.1(E)(2) are hereby amended and reenacted 9 to read as follows: 10 §312. Courts of appeal; circuits and districts 11 There shall be five court of appeal circuits, which shall be subdivided into 12 districts as follows: 13 14 5. 15 16 (b) Districts of the fifth circuit. 17 (i) The parish of Jefferson shall compose the first district of the fifth circuit. 18 The first district shall be further divided into two three election sections. Election 19 section one shall consist of Precincts 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 20

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1 40, 41, 42, 43, 44, 45, 46, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 2 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 3 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 107, 116, 117, 4 <del>118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134,</del> 5 136, 138, 152, 155, 157A, 170, 171, 172, 174, 175, 176, 177, 178, 179-A, 182, 183, 6 184, 185A, 185B, 189, 190, 191, 192, 193, 194, 195, 196, 197A, 197B, 197C, 198, 7 199, 202, 203, 204, 205, 210, 211, 212A, 212B, 213A, 213B, 213C, 214A, 214B, 8 215, 216, 217, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 9 246, 247, 248, 249, 1-G, 2-G, 3-G, 4-G, 5-G, 6-G, 7-G, 8-G, 9-G, 10-G, 11-G, 1-GI, 10 1-H, 2-H, 3-H, 4-H, 5-H, 6-H, 7-H, 8-H, 9-H, 13-KA, 1-K, 2-K, 3-K, 4-K, 5-K, 6-K, 11 7-K, 8-K, 9-K, 10-K, 11-K, 12-K, 14-K, 15-K, 16-K, 17-K, 18-K, 19-K, 20-K, 25-K, 12 27-K, 28-K, 29-K, 30-K, 34-K, 35-K, 1-L, 1-W, 3-W, 4-W, 5-W, 6-W, and 7-W of 13 Jefferson Parish. Election section two shall consist of Precincts 104, 108, 115, 150, 14 151, 153, 154,156, 157B, 179B, 180, 181, 187, 188, 200, 201, 13-KB, 21-K, 22-K, 15 23-K, 24-K, 26-K, 31-K, 33-K, 173 and 2-W. 16 (aa) Election Section 1 is composed of Precincts 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 17 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 18 19 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 20 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 21 116, 117, 118, 119, 120, 121, 122, 123, 124, 125A, 125B, 126, 127, 128, 129, 130, 22 131, 132, 133, 134, 136, 138, 152, 155, 157A, 170, 171, 172, 174, 175, 176, 177, 23 178, 179A, 182, 183, 185A, 189, 190, 191, 192, 193A, 193B, 198, 199, 202, 203, 24 210, 211, 225, 226, 227, 228, 229, 230, 231, 232A, 232B, 234, 235, 236, 237, 238A, 238B, 246, 247, 248, 1-G, 2-G, 3-G, 4-G, 5-G, 6-G, 7-G, 8-G, 9-G, 10-G, 11-G, 25 26 12-G, 13-G, 1-GI, 1-H, 2-H, 3-H, 4-H, 5-H, 6-H, 7-H, 8-H, 9-H, 1-K, 2-K, 3-K, 4-K, 27 5-K, 6-KA, 6-KB, 7-KA, 7-KB, 8-K, 9-K, 10-K, 11-K, 12-K, 13-KA, 14-K, 15-K, 16-K, 17-K, 18-K, 19-K, 20-K, 25-K, 27-K, 28-K, 29-K, 30-K, 34-K, 35-K, 1-L, 28 29 1-W, 3-W, 4-W, 5-W, 6-W, and 7-W of Jefferson Parish.

1	(bb) Election Section 2 is composed of Precincts 104, 108, 115, 150, 151,
2	153, 154, 156, 157B, 173, 179B, 180, 181, 187, 188, 200, 201, 13-KB, 21-K, 22-K,
3	23-K, 24-K, 26-K, 31-K, 33-K, and 2-W of Jefferson Parish.
4	(cc) Election Section 3 is composed of Precincts 184, 185B, 194A, 194B,
5	195, 196, 197A, 197B, 204, 205, 212, 213A, 213B, 213C, 214A, 214B, 215, 216A,
6	216B, 216C, and 217 of Jefferson Parish.
7	* * *
8	§312.1. Circuit court of appeal; domicile; number of judges; election
9	* * *
10	E.
11	* * *
12	(2)(a) Six judges shall be elected from the first district of the fifth circuit by
13	the qualified electors thereof in the manner provided in this Paragraph.
14	(b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph:
15	(i) (a) The first vacancy created by the death, resignation, retirement, or
16	removal of a judge of the first district who was elected by the qualified electors of
17	election section one occurring after August 15, 2007, the effective date of the Act
18	that originated as House Bil No. of the 2024 Regular Session of the Legislature
19	shall be filled by election from election section two three of the first district and such
20	judgeship shall be assigned to election section two three of the first district for
21	election purposes thereafter. However, if no election has occurred or is scheduled to
22	occur to fill a vacancy in such a judgeship from election section two three prior to
23	the opening of qualifying for the regular statewide elections in 2012 2030, the
24	regular election to fill the judgeship designated as Division $\frac{G}{B}$ of the first district
25	shall be held in election section two three of the first district and such division shall
26	be assigned to election section two three for election purposes thereafter.
27	(ii) (b) At the time a judgeship is assigned to election section two three, the
28	remaining five four judgeships in the first district shall be assigned to election
29	section one for election purposes thereafter.

1 (c) One judgeship shall be assigned to election section two.

2 \* \* \*

Section 2.(A) The precincts referenced in this Act are those contained in the file named "2024 Precinct Shapefiles (01-10-2024)" available on the Legislature of Louisiana's website on the effective date of this Section. The 2024 Precinct Shapefiles are based upon those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line Shapefiles for the State of Louisiana as those files have been modified and validated through the data verification program of the Louisiana House of Representatives and the Louisiana Senate to represent precinct changes submitted through January 10, 2024, to the Legislature of Louisiana by parish governing authorities pursuant to the provisions of R.S. 18:532 and 532.1.

- (B) When a precinct referenced in this Act has been subdivided by action of the parish governing authority on a nongeographic basis or subdivided by action of the parish governing authority on a geographic basis in accordance with the provisions of R.S. 18:532.1, the enumeration in this Act of the general precinct designation shall include all nongeographic and all geographic subdivisions thereof, however such subdivisions may be designated.
- (C) The territorial limits of the districts as provided in this Act shall continue in effect until changed by law regardless of any subsequent change made to the precincts by the parish governing authority.
- Section 4. This Act shall become effective upon signature of the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and subsequently approved by the legislature, the provisions of this Act shall become effective on the day following such approval.

#### **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 926 Original

2024 Regular Session

Lyons

**Abstract:** Provides for an additional election section in the first district of the Fifth Circuit Court of Appeals. Effective upon the signature of the governor for all purposes.

Statistical summaries of <u>proposed law</u> including maps illustrating proposed district boundaries accompany this digest. (Attached to the bill version on the internet.)

<u>Present law</u> provides for composition of the Fifth Circuit Court of Appeal. Provides that the parishes of Jefferson, St. Charles, St. James, and St. John the Baptist shall compose the fifth circuit. Further provides that the parish of Jefferson shall compose the first district of the fifth circuit. The parish of St. James and that portion of St. John the Baptist Parish east of the Mississippi River shall compose the second district of the fifth circuit. The parish of St. Charles and that portion of St. John the Baptist Parish west of the Mississippi River shall compose the third district of the fifth circuit.

<u>Present law</u> provides that the fifth circuit shall be composed of eight judges. Provides that six judges shall be elected from the first district of the fifth circuit by the qualified electors thereof. Proposed law retains present law.

<u>Present law</u> provides further that the first district of the fifth circuit shall be divided into two election sections and provides that five judges are assigned to election section one and one judge is assigned to election section two.

<u>Proposed law</u> instead provides that the first district shall be divided into three election sections. Further provides that four judges are assigned to election section one, one judge is assigned to election section two, and one judge is assigned to election section three.

<u>Proposed law</u> provides that the first vacancy created by the death, resignation, retirement, or removal of a judge of the first district who was elected by the qualified electors of election section one shall be filled by election from election section three and such judgeship shall be assigned to election section three for election purposes thereafter. However, if no election has occurred or is scheduled to occur to fill a vacancy in such a judgeship from election section three prior to the opening of qualifying for the regular statewide elections in 2030, the regular election to fill the judgeship designated as Division B of the first district shall be held in election section three of the first district and such division shall be assigned to election section three for election purposes thereafter.

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

(Amends R.S. 13:312(5)(b)(i) and 312.1(E)(2))

#### Plan Statistics

Districts:	# of Members	Actual Popu	lation	Ideal Population	Absolute Deviation	Relative Deviation			
Election Section1	<u># 61 Wellisels</u>		,017	293,852	60,165	20.475%			
	4		•	•	·				
Election Section2	1		,708	73,463	-31,755	-43.226%			
Election Section3	1	45	,056	73,463	-28,407	-38.668%			
Grand Total:	6	440,	781	440,778					
Ideal Population P	er Member:	73463			ldeal - A	ctual: -3			
Number of Districts	for Plan Type:	3			Remai	inder: 3			
Range of District Po	opulations:	41,708	to	354,017	Unassigned Popul	ation: 0			
Absolute Mean Dev	riation:	30,640							
Absolute Range:		-31,755	to	60,165					
Absolute Overall F	Range:	91,920							
Relative Mean Devi	34.12%								
Relative Range:	-43.23%	to	20.47%						
Relative Overall Ra	ange:	63.70%							

# **Total Population**

Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	Total Hispanic	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	VAP Hispanic Total	
				6.772		67.159								
Election Section1 354,017 100.000%	204,093 57.651%	71,126 20.091%	18,517 5.231%	1.913%	53,509 15.115%	18.971%	279,820 100.000%	170,361 60.882%	51,792 18.509%	14,226 5.084%	5,155 1.842%	38,286 13.682%	47,371 16.929%	
Election Section2 41,708	5,487	30,103	695	418	5,005	6,340	30,802	4,431	22,140	533	299	3,399	4,252	
100.000%	13.156%	72.176%	1.666%	1.002%	12.000%	15.201%	100.000%	14.385%	71.878%	1.730%	0.971%	11.035%	13.804%	
Election Section3 45,056	11,355	24,988	3,812	496	4,405	5,558	34,032	9,343	18,243	2,933	381	3,132	3,861	
100.000%	25.202%	55.460%	8.461%	1.101%	9.777%	12.336%	100.000%	27.454%	53.605%	8.618%	1.120%	9.203%	11.345%	
Grand Total 440,781 100.000%	220,935 50.124%	126,217 28.635%	23,024 5.223%	7,686 1.744%	62,919 14.274%	79,057 17.936%	344,654 100.000%	184,135 53.426%	92,175 26.744%	17,692 5.133%	5,835 1.693%	44,817 13.003%	55,484 16.098%	

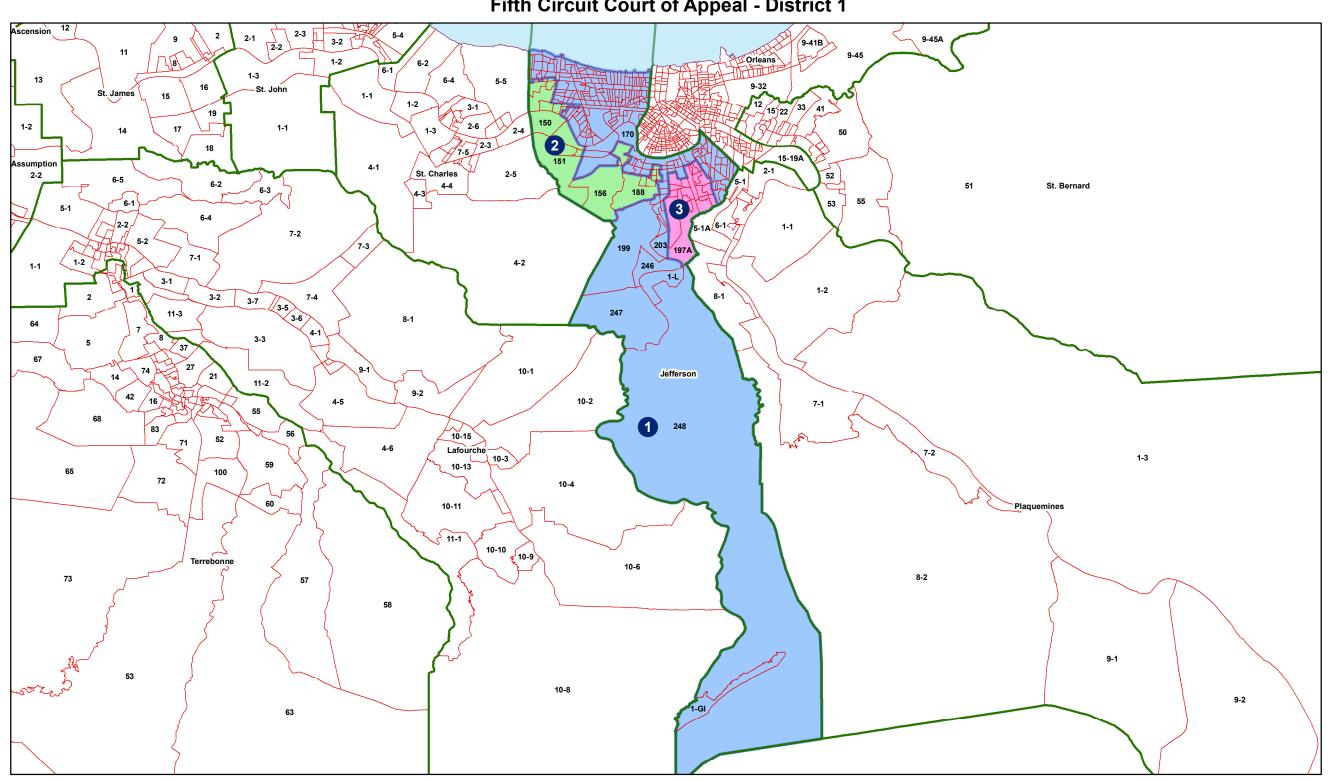
# Voter Registration

	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023	Reg Dem Total Dec 2023	Reg Rep Total Dec 2023	Reg Other Total Dec 2023	
Election Section1	203,338	142,641	32,357	28,340	63,978	74,565	64,795	
	72.667%	70.150%	15.913%	13.937%	31.464%	36.670%	31.866%	
Election Section2	24,247	3,049	19,262	1,936	16,228	1,698	6,321	
	78.719%	12.575%	79.441%	7.984%	66.928%	7.003%	26.069%	
Election Section3	25,848	7,246	14,583	4,019	14,082	4,298	7,468	
	75.952%	28.033%	56.418%	15.549%	54.480%	16.628%	28.892%	
Grand Total	253,433	152,936	66,202	34,295	94,288	80,561	78,584	

# Splits

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023	
Election Section1																	
*Jefferson	354,017	204,093	71,126	18,517	6,772	53,509	279,820	170,361	51,792	14,226	5,155	38,286	203,338	142,641	32,357	28,340	
Election Section1	354,017 100.000%	204,093 57.651%	71,126 20.091%	18,517 5.231%	6,772 1.913%	53,509 15.115%	279,820 100.000%	170,361 60.882%	51,792 18.509%	14,226 5.084%	5,155 1.842%	38,286 13.682%	203,338 72.667%	142,641 70.150%	32,357 15.913%	28,340 13.937%	
Election Section2																	
*Jefferson	41,708	5,487	30,103	695	418	5,005	30,802	4,431	22,140	533	299	3,399	24,247	3,049	19,262	1,936	
Election Section2	41,708 100.000%	5,487 13.156%	30,103 72.176%	695 1.666%	418 1.002%	5,005 12.000%	30,802 100.000%	4,431 14.385%	22,140 71.878%	533 1.730%	299 0.971%	3,399 11.035%	24,247 78.719%	3,049 12.575%	19,262 79.441%	1,936 7.984%	
Election Section3																	
*Jefferson	45,056	11,355	24,988	3,812	496	4,405	34,032	9,343	18,243	2,933	381	3,132	25,848	7,246	14,583	4,019	
Election Section3	45,056 100.000%	11,355 25.202%	24,988 55.460%	3,812 8.461%	496 1.101%	4,405 9.777%	34,032 100.000%	9,343 27.454%	18,243 53.605%	2,933 8.618%	381 1.120%	3,132 9.203%	25,848 75.952%	7,246 28.033%	14,583 56.418%	4,019 15.549%	

### Fifth Circuit Court of Appeal - District 1



#### Fifth Circuit Court of Appeal - District 1

