

SENATE BILL NO. 452

BY SENATORS MCMATH, MIZELL, OWEN AND WHEAT AND REPRESENTATIVE
CARVER

1 AN ACT

2 To enact Part VI of Chapter 36 of Title 13 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 13:5771 through 5773, and to repeal R.S. 13:5726, relative to the
4 coroner of St. Tammany Parish; to provide for qualifications for the St. Tammany
5 Parish coroner; to provide for duties of the St. Tammany Parish coroner; to provide
6 for oversight by the St. Tammany Parish Council; to provide for the collection and
7 distribution of funds designated for the St. Tammany Parish coroner's office; to
8 provide for an effective date; and to provide for related matters.

9 Notice of intention to introduce this Act has been published.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Part VI of Chapter 36 of Title 13 of the Louisiana Revised Statutes of
12 1950, comprised of R.S. 13:5771 through 5773, is hereby enacted to read as follows:

13 **PART VI. ST. TAMMANY PARISH**

14 **§5771. St. Tammany Parish coroner; qualifications**

15 **A. In addition to the qualifications provided for in R.S. 13:5704, in St.**
16 **Tammany Parish, a person shall satisfy all of the following in order to serve as**
17 **coroner:**

18 **(1) Be a citizen of the United States.**

19 **(2) Be at least twenty-one years of age.**

20 **(3) Be of good moral and ethical character and temperate habits.**

21 **(4) Not be declared by any court of competent jurisdiction incompetent**
22 **by reason of mental defect or disease which has not been restored.**

23 **(5) Not have been convicted in any jurisdiction of any aggravated offense**
24 **as defined in R.S. 15:541, criminal offense against a victim who is a minor as**
25 **defined in R.S. 15:541, sex offense as defined in R.S. 15:541, or sexual offense**
26 **against a victim who is a minor as defined in R.S. 15:541.**

1 **B. Prior to qualifying for an election for coroner in St. Tammany Parish,**
2 **a person shall certify, under oath, that he satisfies the criteria set forth in**
3 **Subsection A of this Section and shall submit the results of a criminal history**
4 **record information obtained from the Louisiana Bureau of Criminal**
5 **Identification and Information of the office of state police within the**
6 **Department of Public Safety and Corrections. The attestation and criminal**
7 **history record information shall be presented to the St. Tammany Parish Clerk**
8 **of Court to verify eligibility to be a candidate for coroner.**

9 **§5772. St. Tammany Parish coroner; duties; accountability**

10 **A. In addition to the duties provided for in R.S. 13:5713, the coroner in**
11 **St. Tammany Parish shall maintain records to account for his time, work**
12 **product, and expenditures and submit the data to the parish council in a**
13 **manner and frequency prescribed by the council.**

14 **B. If the council finds that, after being elected, it is determined that the**
15 **coroner is not in compliance with the qualifications set forth in R.S. 13:5771, the**
16 **council may take any action allowable by law to remove the coroner, including**
17 **but not limited to an action for malfeasance in office. Nothing in this Subsection**
18 **shall be construed to prohibit a recall election pursuant to R.S. 18:1300.1 et seq.**

19 **§5773. St. Tammany Parish; coroner; ad valorem tax; compensation of coroner**
20 **and employees**

21 **A.(1) The sheriff of St. Tammany Parish shall collect and transfer to the**
22 **governing authority of St. Tammany Parish all tax revenues from the ad**
23 **valorem tax levied by St. Tammany Parish for coroner purposes and approved**
24 **by a majority of the electors of the parish at an election held for that purpose**
25 **on November 2, 2004, including any extensions or renewals.**

26 **(2) The St. Tammany Parish coroner's office shall transfer all funds on**
27 **hand received from the ad valorem tax to the governing authority of St.**
28 **Tammany Parish, less and except amounts needed for operation for the**
29 **remainder of calendar year 2024, with the amount being determined by the St.**
30 **Tammany Parish Department of Finance.**

1 B. The revenues transferred to the governing authority pursuant to
2 Subsection A of this Section shall be deposited into a special account and
3 expended solely for the purposes set forth in the ad valorem tax proposition
4 approved by the voters on November 2, 2004, less and except St. Tammany
5 Parish's administrative fees, costs associated with administration of the ad
6 valorem tax levied, St. Tammany Parish's costs associated with oversight of the
7 St. Tammany Parish coroner's office including expert fees and costs of
8 investigations and audits, and amounts necessary to service bonds or other debt
9 obligations secured by the ad valorem tax. St. Tammany Parish shall be
10 considered to have fully and completely met its obligations to fund the St.
11 Tammany Parish coroner's office as set forth in R.S. 13:5706 and 5710 for the
12 life of the ad valorem tax. Until the expiration of the ad valorem tax, and
13 notwithstanding any provisions of law to the contrary, St. Tammany Parish
14 shall not be obligated to pay any other fee or cost and all obligations to the
15 coroner are limited as provided for in this Subsection.

16 C.(1) All salaries or fees associated with the operation of the coroner's
17 office shall be funded and paid from revenues collected pursuant to Subsection
18 A of this Section.

19 (2) An annual salary shall be established by the governing authority of
20 the parish of St. Tammany to be paid to the coroner in lieu of all fees for his
21 services as parish coroner, ex officio parish physician, or health officer. The
22 salary shall be the average of the salaries of the St. Tammany Parish sheriff,
23 assessor, and clerk.

24 (3) The coroner shall establish an annual salary for the deputy or
25 assistant coroners, secretaries, stenographers, clerks, technicians, investigators,
26 official photographers, or other employees.

27 D. The office of the coroner of St. Tammany Parish shall not own or
28 acquire immovable property. Any and all immovable property, including
29 buildings, component parts and other appurtenances, previously owned by St.
30 Tammany Parish and transferred to the St. Tammany Parish coroner's office

1 shall be transferred to the governing authority of St. Tammany Parish free and
2 clear of all mortgages, liens, or other encumbrances within six months of the
3 effective date of this Section.

4 E. Within six months of the effective date of this Section, the governing
5 authority of St. Tammany Parish and the St. Tammany Parish coroner's office
6 shall enter into a restated cooperative endeavor agreement, including but not
7 limited to the following provisions:

8 (1) Requiring use of all tax revenues in strict conformity with the tax
9 proposition approved by the voters.

10 (2) Requiring compliance with public bid and procurement laws.

11 Section 2. R.S. 13:5726 is hereby repealed.

12 Section 3. This Act shall become effective upon signature by the governor or, if not
13 signed by the governor, upon expiration of the time for bills to become law without signature
14 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
15 vetoed by the governor and subsequently approved by the legislature, this Act shall become
16 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____