

SENATE BILL NO. 128

BY SENATOR MILLER

1 AN ACT

2 To amend and reenact R.S. 40:539(C)(8), relative to housing authorities; to provide relative
3 to civil service status of a housing authority; to provide with respect to the
4 authorization to elect to not be in the state civil service; to provide relative to process
5 and procedure; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:539(C)(8) is hereby amended and reenacted to read as follows:
8 §539. Selection of chairman and vice chairman; executive director; hiring of
9 employees

10 * * *

11 C. * * *

12 (8)(a) Except as provided in the Constitution of Louisiana and as may
13 otherwise be authorized by the State Civil Service Commission, all employees of the
14 authority, except authority members, the executive director, and one other employee
15 whom the authority shall designate and employ, and except professional employees
16 employed on a contract basis, shall be in the classified state civil service.

17 **(b) Notwithstanding any provision of Subparagraph (a) of this**
18 **Paragraph or any other law to the contrary, a housing authority may, upon**
19 **determining that it should not be considered to be an instrumentality of the**
20 **state for purposes of Article X, Section 1(A) of the Constitution of Louisiana**
21 **and therefore that the employees of such authority shall not be included in the**
22 **state civil service, adopt a resolution to that effect and transmit a certified copy**
23 **of the resolution by certified mail to the director of the Department of State**
24 **Civil Service. The resolution shall be given effect upon the director's receipt.**

25 ~~(b)(c)~~ Notwithstanding any provision of Subparagraph (a) of this Paragraph
26 or of any other law to the contrary, the Housing Authority of New Orleans shall not
27 be considered to be an instrumentality of the state for purposes of Article X, Section

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

3 ~~(e)~~**(d)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
4 or of any other law to the contrary, the Cottonport Housing Authority shall not be
5 considered to be an instrumentality of the state for purposes of Article X, Section
6 1(A) of the Constitution of Louisiana, and employees of the authority shall not be
7 included in the state civil service.

8 ~~(d)~~**(e)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
9 or of any other law to the contrary, the housing authority of Denham Springs shall
10 not be considered to be an instrumentality of the state for purposes of Article X,
11 Section 1(A) of the Constitution of Louisiana, and employees of the authority shall
12 not be included in the state civil service.

13 ~~(e)~~**(f)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
14 or of any other law to the contrary, the Housing Authority of the Town of Oil City
15 shall not be considered to be an instrumentality of the state for purposes of Article
16 X, Section 1(A) of the Constitution of Louisiana, and employees of the authority
17 shall not be included in the state civil service.

18 ~~(f)~~**(g)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
19 or of any other law to the contrary, the Housing Authority of the City of Lafayette
20 shall not be considered to be an instrumentality of the state for purposes of Article
21 X, Section 1(A) of the Constitution of Louisiana, and employees of the authority
22 shall not be included in the state civil service.

23 ~~(g)~~**(h)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
24 or of any other law to the contrary, the East Baton Rouge Parish Housing Authority
25 shall not be considered an instrumentality of the state for purposes of Article X,
26 Section 1(A) of the Constitution of Louisiana, and employees of the authority shall
27 not be included in the state civil service.

28 ~~(h)~~**(i)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
29 or of any other law to the contrary, the Monroe Housing Authority shall not be
30 considered an instrumentality of the state for purposes of Article X, Section 1(A) of

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

3 ~~(j)~~**(j)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
4 or of any other law to the contrary, the Housing Authority of the City of Shreveport
5 shall not be considered an instrumentality of the state for purposes of Article X,
6 Section 1(A) of the Constitution of Louisiana, and employees of the authority shall
7 not be included in the state civil service.

8 ~~(j)~~**(k)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
9 or of any other law to the contrary, the Kenner Housing Authority shall not be
10 considered an instrumentality of the state for purposes of Article X, Section 1(A) of
11 the Constitution of Louisiana, and employees of the authority shall not be included
12 in the state civil service.

13 ~~(k)~~**(l)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
14 or of any other law to the contrary, the Simmesport Housing Authority shall not be
15 considered an instrumentality of the state for purposes of Article X, Section 1(A) of
16 the Constitution of Louisiana, and employees of the authority shall not be included
17 in the state civil service.

18 ~~(l)~~**(m)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
19 or of any other law to the contrary, the Bunkie Housing Authority shall not be
20 considered an instrumentality of the state for purposes of Article X, Section 1(A) of
21 the Constitution of Louisiana, and employees of the authority shall not be included
22 in the state civil service.

23 ~~(m)~~**(n)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
24 or of any other law to the contrary, the Colfax Housing Authority shall not be
25 considered an instrumentality of the state for purposes of Article X, Section 1(A) of
26 the Constitution of Louisiana, and employees of the authority shall not be included
27 in the state civil service.

28 ~~(n)~~**(o)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
29 or of any other law to the contrary, the Kinder Public Housing Authority shall not be
30 considered an instrumentality of the state for purposes of Article X, Section 1(A) of

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

3 ~~(p)~~**(p)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
4 or of any other law to the contrary, the Berwick Housing Authority shall not be
5 considered an instrumentality of the state for purposes of Article X, Section 1(A) of
6 the Constitution of Louisiana, and employees of the authority shall not be included
7 in the state civil service.

8 ~~(p)~~**(q)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
9 or of any other law to the contrary, the Morgan City Housing Authority shall not be
10 considered an instrumentality of the state for purposes of Article X, Section 1(A) of
11 the Constitution of Louisiana, and employees of the authority shall not be included
12 in the state civil service.

13 Section 2. This Act shall become effective upon signature by the governor or, if not
14 signed by the governor, upon expiration of the time for bills to become law without signature
15 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
16 vetoed by the governor and subsequently approved by the legislature, this Act shall become
17 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____