

2016 Regular Session

HOUSE BILL NO. 116

BY REPRESENTATIVE CARMODY

COURTS/JUSTICE OF PEACE: Requires each constable in Caddo Parish to report information relative to its deputy constable to the sheriff

1 AN ACT

2 To amend and reenact R.S. 13:2583.3(A), relative to the office of constable in Caddo Parish;
3 to require each constable of Caddo Parish to report certain information relative to the
4 deputy constable; to require such information to be reported annually to the sheriff;
5 and to provide for related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 13:2583.3(A) is hereby amended and reenacted to read as follows:

11 §2583.3. Deputies; oath; compensation; Caddo Parish

12 A.(1) Each duly elected constable of a justice of the peace court in Caddo
13 Parish may appoint one deputy constable, if necessary, for whose acts the constable
14 shall be responsible. Before entering upon his duties, each deputy shall take the oath
15 required by the constitution and the laws of this state and meet the requirements of
16 R.S. 40:2405. A duplicate copy of the oath of office shall be filed with the office of
17 the attorney general within seventy-two hours after being administered. Any deputy
18 constable appointed pursuant to this Section shall not be entitled to any
19 compensation from any local governing body or political subdivision, other than the
20 constable's office, and shall not be entitled to any compensation from the state. Each
21 constable may fix the compensation of his deputy. He may pay from the fees
22 generated by his office any compensation due to the deputy, the premiums on bonds

1 required by him of a deputy in charge of public funds, insurance premiums, and any
2 expenses necessary for the performance of duties required of the deputy. He may
3 issue monthly or twice per month, at his discretion, warrants or checks for the
4 amounts due to the deputy.

5 (2) On or before August first of each year, each constable shall report to the
6 sheriff of Caddo Parish the following information:

7 (a) The full name of the deputy constable and term of employment.

8 (b) Any compensation from all sources paid to the deputy constable for the
9 previous fiscal year.

10 (c) Any certification of required training, including training certified by the
11 Council on Peace Officer Standards and Training.

12 * * *

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.

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 116 Engrossed 2016 Regular Session Carmody

Abstract: Requires each constable for Caddo Parish to report certain information relative to its deputy constable to the Caddo Parish Sheriff.

Present law authorizes each constable of a justice of the peace court in Caddo Parish to appoint one constable and further provides relative to the requirements, duties, and compensation for the deputy constable.

Proposed law requires each constable to report on or before Aug. 1st of each year to the Caddo Parish Sheriff information relative to the name, term of employment, compensation, and certification of training for the deputy constable.

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

(Amends R.S. 13:2583.3(A))

Summary of Amendments Adopted by House

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

1. Specifies that the report is due on or before Aug. 1st of each year.
2. Adds an emergency effective date.