

CONFERENCE COMMITTEE REPORT

SB 86

2017 Regular Session

Perry

June 7, 2017

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 86 by Senator Perry, recommend the following concerning the Reengrossed bill:

- 1. That House Committee Amendment No. 1 by the House Committee on Municipal, Parochial, and Cultural Affairs and adopted by the House of Representatives on May 16, 2017, be rejected.
- 2. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 13, after "**persons**" insert "**or not less than six thousand nor more than seven thousand persons**"

AMENDMENT NO. 2

On page 2, line 3, after "**persons**" insert "**or not less than six thousand nor more than seven thousand persons**"

AMENDMENT NO. 3

On page 2, line 16, after "**persons**" insert "**or not less than six thousand nor more than seven thousand persons,**"

Respectfully submitted,

Senators:

Representatives:

Senator Jonathan Perry

Representative John "Johnny" Berthelot

Senator Karen Carter Peterson

Representative John Stefanski

Senator Jack Donahue

Representative Bob Hensgens

The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ashley E. Menou.

CONFERENCE COMMITTEE REPORT DIGEST

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Keyword and summary of the bill as proposed by the Conference Committee

PARISHES. Permits the governing authorities of certain parishes to employ their own attorneys to represent them generally. (gov sig)

Report rejects House amendments which would have:

1. Changed the effective date to October 1, 2017.

Report amends the bill to:

1. Add that the governing authority of parishes with a population of not less than six thousand nor more than seven thousand persons can retain its own attorney to represent it generally, that the employment of such attorney relieves the district attorney of his duty to represent the governing authority of those parishes, and that the attorney cannot be paid on a contingent fee or other percentage basis.

Digest of the bill as proposed by the Conference Committee

Present law provides that district attorneys serve as the regular attorneys and counsel for the police juries within their respective districts. However, present law does not prevent or prohibit the governing authorities of the parishes of St. Charles, St. John the Baptist, Ouachita, Morehouse, Calcasieu, and Vermilion from each employing or retaining its own attorney to represent it generally. Present law provides that the employment of attorneys by the governing authorities relieve the district attorneys of the judicial districts serving the respective parishes from any further duty of representing the governing authorities.

Proposed law retains present law.

Proposed law further provides that present law does not prevent or prohibit the governing authority of any parish having a population of not less than 60,000 nor more than 70,000 persons or not less than 6,000 nor more than 7,000 from employing or retaining its own attorneys to represent it generally. Proposed law provides that the district attorney of the judicial district serving the parish is relieved from any further duty of representing the governing authority.

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

(Amends R.S. 16:2(B) and R.S. 42:261(F))