

SENATE BILL NO. 128

BY SENATOR PERRY

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AN ACT

To amend and reenact R.S. 16:2(B) and R.S. 42:261(F), relative to legal representation of parishes; to authorize the governing authority of Acadia Parish to employ its own attorneys to represent it generally; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 16:2(B) is hereby amended and reenacted to read as follows:

§2. Duty of district attorney to act as counsel for parish boards and commissions

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B. Notwithstanding any other provision of this Section or any law to the contrary, nothing shall prevent the governing authorities of the parishes of St. Charles, St. John the Baptist, Ouachita, Morehouse, Calcasieu, ~~and Vermilion,~~ **and Acadia** or any city or parish school board in the state from each employing or retaining its own attorney to represent it generally. The employment of attorneys by ~~said~~ **the** governing authorities shall relieve the district attorneys of the judicial districts serving the parishes of St. Charles, St. John the Baptist, Ouachita, Morehouse, Calcasieu, ~~and Vermilion,~~ **and Acadia** from any further duty of representing ~~said~~ **the** governing authorities, and the employment of an attorney by any city or parish school board shall relieve the district attorney of the judicial district serving such city or parish school board from any further duty of representing such school board.

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Section 2. R.S. 42:261(F) is hereby amended and reenacted to read as follows:

§261. District attorneys; counsel for boards and commissions

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1 F. Notwithstanding any other provision of this Section or any other law to the
 2 contrary, nothing shall prohibit the governing authorities of the parishes of St.
 3 Charles, Ouachita, Morehouse, Calcasieu, ~~and Vermilion,~~ **and Acadia** from each
 4 employing or retaining its own attorney to represent it generally; however, except in
 5 those specific instances where expressly allowed by law, no payment to such
 6 attorney so employed or retained shall be made on a contingent fee or other
 7 percentage basis. The employment of attorneys by ~~said the~~ **the** political subdivisions of
 8 the aforementioned parishes shall relieve the district attorneys of the judicial districts
 9 serving the ~~aforesaid~~ parishes from any other duty of representing ~~said the~~ **the** political
 10 subdivisions of ~~said the~~ **the** parishes.

11 * * *

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: _____