

ACT No. 212

2018 Regular Session

HOUSE BILL NO. 708

BY REPRESENTATIVE CREWS

AN ACT

To amend and reenact R.S. 14:139.1(A), (B), and (C), relative to payroll padding; to provide relative to the exceptions to the crime of payroll padding; to provide an additional exception for an increase in expenses necessitated by the completion of a new or expansion of a facility that provides support services to the office of the sheriff; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:139.1(A), (B), and (C) are hereby amended and reenacted to read as follows:

§139.1. Political payroll padding by sheriff; sale of assets of sheriff's office prohibited

A. During the six months preceding a gubernatorial election and during the time interval between the gubernatorial election and the first day of July following election, it shall be unlawful for any sheriff to do any of the following:

(1) Increase the number of deputies or employees in his office by more than five percent over the average number of such employees for each of the first six months of the twelve months preceding ~~said~~ the election; ~~or~~.

(2) Increase the payroll or other operating expenses of his office more than fifteen percent over its average amount of such expenditures for each of the months of the first six months of the twelve months preceding ~~said~~ the election; ~~or~~.

(3) Transfer title and ownership of the capital assets of his office of a value in excess of ten percent of the total value of ~~said~~ assets as reflected in the current

inventory filed in the office of the sheriff ~~on date of the first primary election~~ under
the provisions of ~~Section 513 of Title 24~~ R.S. 24:513, as of the date of the primary
election.

B. In determining whether any surplus or deficit exists in the office of any
sheriff at the expiration of a term of office, the current market value of the capital
assets of the office as set forth in the inventory filed in accordance with ~~Section 513~~
~~of Title 24~~ R.S. 24:513 shall be included in the total assets of the sheriff's office.

C. The provisions of this Section shall not apply when the increases or
decreases are necessitated by flood, invasion by common enemy, or other public
emergency. In addition, the provisions of this Section shall not apply to any increase
based upon the utilization of additional revenue from a tax district election or to an
increase necessitated by the completion of a new or expansion of an existing prison
facility or an emergency communications call or dispatch center.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____