

2019 Regular Session

SENATE BILL NO. 70

BY SENATOR DONAHUE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COURTS. Provides relative to justice of the peace courts and constables in St. Tammany Parish. (gov sig)

1 AN ACT

2 To enact R.S. 13:2586(C)(6), 2587.3 and 2589(D), relative to justice of the peace courts in
3 St. Tammany Parish; to provide relative to jurisdiction and procedures; to provide
4 relative to property standards and nuisance violations; to provide for actions by
5 constables; to provide relative to procedures and reimbursement; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13: 2586(C)(6), 2587.3 and 2589(D) are hereby enacted to read as
9 follows:

10 §2586. Jurisdiction and procedure

11 * * *

12 C.

13 * * *

14 **(6)(a) A constable of a justice of the peace court in St. Tammany Parish**
15 **may issue a summons or serve a subpoena anywhere within St. Tammany**
16 **Parish for a property standards or nuisance violation adopted pursuant to local**
17 **ordinance.**

1 **(b) A justice of the peace court in St. Tammany Parish shall have**
 2 **concurrent jurisdiction over a property standards or nuisance violation adopted**
 3 **pursuant to local ordinance, except as provided in Subparagraph (c) of this**
 4 **Paragraph.**

5 **(c) In Ward 8, a property standards or nuisance violation adopted**
 6 **pursuant to local ordinance shall be prosecuted in City Court of Slidell or Ward**
 7 **8 Justice of the Peace Court. In Ward 9, a property standards or nuisance**
 8 **violation adopted pursuant to local ordinance shall be prosecuted in City Court**
 9 **of Slidell.**

10 * * *

11 **§2587.3 Prosecution of property standards and nuisance violations in justice of**
 12 **the peace courts**

13 **When a justice of the peace court in St. Tammany Parish has concurrent**
 14 **jurisdiction over a property standards or nuisance violation adopted pursuant**
 15 **to local ordinance, the constable of that court may act as prosecutor if**
 16 **authorized by the court, or the deputy constable if authorized may act as**
 17 **prosecutor if the constable was the arresting officer, issued the citations of**
 18 **summons, or is a witness. If there is no deputy constable, then the justice of the**
 19 **peace may appoint a special deputy constable to prosecute the case or may**
 20 **authorize a constable from another ward in the parish to prosecute the matter.**

21 * * *

22 §2589. Compensation of justices of the peace and constables in criminal matters

23 * * *

24 **D. In St. Tammany Parish, in addition to the reimbursement provided**
 25 **in Subsection B of this Section, the justice of the peace courts and ward**
 26 **constable offices shall also be reimbursed for handling property standards and**
 27 **nuisance violations as defined per local ordinance.**

28 Section 2. This Act shall become effective upon signature by the governor or, if not
 29 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 3 effective on the day following such approval.

The original instrument was prepared by Xavier Alexander. The following digest, which does not constitute a part of the legislative instrument, was prepared by Tammy Crain-Waldrop.

DIGEST

SB 70 Reengrossed

2019 Regular Session

Donahue

Proposed law provides that the justice of the peace courts in St. Tammany Parish shall have concurrent jurisdiction with district courts over property standards and nuisance violations except in Ward 9, which shall be prosecuted in City Court of Slidell, and in Ward 8, City Court of Slidell, and Ward 8 Justice of the Peace Court.

Proposed law provides that the constable of the justice of the peace court in St. Tammany Parish or his deputy may, if authorized, act as a prosecutor to adjudicate property standards and nuisance violations.

Proposed law provides that the justice of the peace courts and constable offices in St. Tammany Parish shall be reimbursed for handling property standards and nuisance violations.

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

(Adds R.S. 13: 2586(C)(6), 2587.3, and 2589(D))

Summary of Amendments Adopted by SenateSenate Floor Amendments to engrossed bill

1. A technical name change from Slidell City Court to City Court of Slidell.