

2024 Regular Session

SENATE BILL NO. 128

BY SENATOR MILLER

HOUSING. Provides for the civil service status of a housing authority. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 40:539, relative to housing authorities; to provide relative to civil
3 service status of a housing authority; to provide with respect to the authorization to
4 elect to not be in the state civil service; to provide relative to process and procedure;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:539 is hereby amended and reenacted to read as follows:

8 §539. Selection of chairman and vice chairman; executive director; hiring of
9 employees

10 * * *

11 C. * * *

12 (8) * * *

13 **(b) Notwithstanding any provision of Subparagraph (a) of this**
14 **Paragraph or any other law to the contrary, a housing authority may, by**
15 **resolution, elect that it not be considered to be an instrumentality of the state**
16 **for purposes of Article X, Section 1(A) of the Constitution of Louisiana, and**
17 **employees of such authority shall not be included in the state civil service. Such**

1 **election is effective upon transmittal of a certified copy of said resolution by**
2 **certified mail to the director of the Department of State Civil Service.**

3 ~~(b)~~**(c)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
4 or of any other law to the contrary, the Housing Authority of New Orleans shall not
5 be considered to be an instrumentality of the state for purposes of Article X, Section
6 1(A) of the Constitution of Louisiana, and employees of the authority shall not be
7 included in the state civil service.

8 ~~(e)~~**(d)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
9 or of any other law to the contrary, the Cottonport Housing Authority shall not be
10 considered to be an instrumentality of the state for purposes of Article X, Section
11 1(A) of the Constitution of Louisiana, and employees of the authority shall not be
12 included in the state civil service.

13 ~~(d)~~**(e)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
14 or of any other law to the contrary, the housing authority of Denham Springs shall
15 not be considered to be an instrumentality of the state for purposes of Article X,
16 Section 1(A) of the Constitution of Louisiana, and employees of the authority shall
17 not be included in the state civil service.

18 ~~(e)~~**(f)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
19 or of any other law to the contrary, the Housing Authority of the Town of Oil City
20 shall not be considered to be an instrumentality of the state for purposes of Article
21 X, Section 1(A) of the Constitution of Louisiana, and employees of the authority
22 shall not be included in the state civil service.

23 ~~(f)~~**(g)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
24 or of any other law to the contrary, the Housing Authority of the City of Lafayette
25 shall not be considered to be an instrumentality of the state for purposes of Article
26 X, Section 1(A) of the Constitution of Louisiana, and employees of the authority
27 shall not be included in the state civil service.

28 ~~(g)~~**(h)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
29 or of any other law to the contrary, the East Baton Rouge Parish Housing Authority

1 shall not be considered an instrumentality of the state for purposes of Article X,
2 Section 1(A) of the Constitution of Louisiana, and employees of the authority shall
3 not be included in the state civil service.

4 ~~(h)~~**(i)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
5 or of any other law to the contrary, the Monroe Housing Authority shall not be
6 considered an instrumentality of the state for purposes of Article X, Section 1(A) of
7 the Constitution of Louisiana and employees of the authority shall not be included
8 in the state civil service.

9 ~~(j)~~**(i)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
10 or of any other law to the contrary, the Housing Authority of the City of Shreveport
11 shall not be considered an instrumentality of the state for purposes of Article X,
12 Section 1(A) of the Constitution of Louisiana, and employees of the authority shall
13 not be included in the state civil service.

14 ~~(j)~~**(k)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
15 or of any other law to the contrary, the Kenner Housing Authority shall not be
16 considered an instrumentality of the state for purposes of Article X, Section 1(A) of
17 the Constitution of Louisiana, and employees of the authority shall not be included
18 in the state civil service.

19 ~~(k)~~**(l)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
20 or of any other law to the contrary, the Simmesport Housing Authority shall not be
21 considered an instrumentality of the state for purposes of Article X, Section 1(A) of
22 the Constitution of Louisiana, and employees of the authority shall not be included
23 in the state civil service.

24 ~~(l)~~**(m)** Notwithstanding any provision of Subparagraph (a) of this Paragraph
25 or of any other law to the contrary, the Bunkie Housing Authority shall not be
26 considered an instrumentality of the state for purposes of Article X, Section 1(A) of
27 the Constitution of Louisiana, and employees of the authority shall not be included
28 in the state civil service.

29 ~~(m)~~**(n)** Notwithstanding any provision of Subparagraph (a) of this Paragraph

1 or of any other law to the contrary, the Colfax Housing Authority shall not be
2 considered an instrumentality of the state for purposes of Article X, Section 1(A) of
3 the Constitution of Louisiana, and employees of the authority shall not be included
4 in the state civil service.

5 ~~(n)~~(o) Notwithstanding any provision of Subparagraph (a) of this Paragraph
6 or of any other law to the contrary, the Kinder Public Housing Authority shall not be
7 considered an instrumentality of the state for purposes of Article X, Section 1(A) of
8 the Constitution of Louisiana, and employees of the authority shall not be included
9 in the state civil service.

10 ~~(o)~~(p) Notwithstanding any provision of Subparagraph (a) of this Paragraph
11 or of any other law to the contrary, the Berwick Housing Authority shall not be
12 considered an instrumentality of the state for purposes of Article X, Section 1(A) of
13 the Constitution of Louisiana, and employees of the authority shall not be included
14 in the state civil service.

15 ~~(p)~~(q) Notwithstanding any provision of Subparagraph (a) of this Paragraph
16 or of any other law to the contrary, the Morgan City Housing Authority shall not be
17 considered an instrumentality of the state for purposes of Article X, Section 1(A) of
18 the Constitution of Louisiana, and employees of the authority shall not be included
19 in the state civil service.

20 Section 2. This Act shall become effective upon signature by the governor or, if not
21 signed by the governor, upon expiration of the time for bills to become law without signature
22 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
23 vetoed by the governor and subsequently approved by the legislature, this Act shall become
24 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by James Benton

Present law provides that, except as provided in the Constitution, and as may otherwise be authorized by the State Civil Service Commission, all employees of the housing authority, except authority members, the executive director, and one other employee whom the authority shall designate and employ, and except professional employees employed on a contract basis, shall be in the classified state civil service.

Proposed law retains present law but provides that a housing authority may, by resolution, elect that it not be considered to be an instrumentality of the state for purposes of the Constitution, and employees of such authority shall not be included in the state civil service.

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

(Amends R.S. 40:539)