2024 Regular Session

HOUSE BILL NO. 519

BY REPRESENTATIVE FARNUM

COURTS: Provides relative to marshals and constables

1	AN ACT
2	To amend and reenact R.S. 13:1881(B), 1883(A)(introductory paragraph), (B), and (C), and
3	1889(A) and (B), relative to certain marshals and constables of city courts; to provide
4	relative to elections and designations of marshals and constables; to provide for the
5	compensation of certain marshals and constables; to provide for the designation of
6	the marshal of the city of Sulphur; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 13:1881(B), 1883(A)(introductory paragraph), (B), and (C), and
9	1889(A) and (B) are hereby amended and reenacted to read as follows:
10	§1881. General powers and duties of marshal; deputy marshals
11	* * *
12	B. The marshal may appoint one or more deputy marshals having the same
13	powers and authority as the marshal, but the marshal shall be responsible for their
14	actions. The compensation of the deputy marshals shall be fixed and paid by the
15	governing authorities of the city or parish, or both city or cities or parish, or all
16	governing authorities, where the court is located has territorial jurisdiction. The city
17	marshal may use funds available for expenses of his office, including proceeds from
18	costs assessed in criminal matters pursuant to R.S. 13:1899, to pay an amount in
19	excess of the fixed salary or to pay the amount fixed or any portion thereof to deputy
20	marshals or to employ additional deputies. However, nothing herein shall authorize

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	the city marshal to fix or supplement his own salary. In no event shall the salary of
2	any deputy exceed that of his city marshal.
3	* * *
4	§1883. Compensation of marshal
5	A. The marshals of the city courts enumerated in this Subsection shall
6	receive as compensation for their services the following minimum salaries, payable
7	monthly on their own warrant and which, except as otherwise indicated, shall be paid
8	in equal proportions by the respective governing authorities of the eity and parish
9	city or cities or parish, or all governing authorities, where the court is located has
10	territorial jurisdiction:
11	* * *
12	B. The marshals of the following city courts shall receive an annual salary,
13	payable monthly on their own warrants, which shall be fixed and paid by the
14	respective governing authorities of the city and parish city or cities or parish, or all
15	governing authorities, where the court is located or either of them has territorial
16	jurisdiction, in the proportions they may determine: Bastrop, Bogalusa, Bunkie,
17	Crowley. The annual salary paid by the city of Bunkie shall not be less than \$600.
18	C. Except as provided in R.S. 13:2071, in all other cases the marshal's salary
19	shall be paid by the governing body of the city and parish city or cities or parish, or
20	all governing authorities, where the court is located has territorial jurisdiction, in
21	such amounts as they may determine, except that where the population of the
22	territorial jurisdiction of the court is more than 10,000 inhabitants, the marshal shall
23	receive a minimum annual salary of \$3,600 payable monthly in equal proportions by
24	the governing authorities of the city and parish on the warrant of the marshal.
25	* * *
26	§1889. Court room and offices
27	A. The city where the court is situated shall furnish a suitable city court room
28	and suitable offices for the judge, clerk, and marshal. It shall also furnish adequate
29	fireproof vaults or other filing equipment for the preservation of the records of the
30	court.

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1	B. The reasonable and necessary expenses of operation and maintenance of
2	the court room and offices or obligations incurred by the marshal and court, provided
3	they comply with applicable budgetary requirements, shall be borne by the city, or
4	may be apportioned between the city and parish as the respective governing
5	authorities may determine city or cities or parish, or all governing authorities, as
6	determined by the respective governing authorities.
7	* * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 519 Original	2024 Regular Session	Farnum

Abstract: Provides relative to the designation of the marshal of the city court of Sulphur and the source of funding for certain marshals and constables.

<u>Present law</u> provides for the payment of deputy marshal salaries exclusively by the local governing authority of the city or parish, or both, where the court is located.

<u>Proposed law</u> provides for the payment of deputy marshal salaries by the local governing authority of the city or cities or parish, or all governing authorities, where the court has territorial jurisdiction.

<u>Present law</u> provides that the marshals of city courts shall be paid by the governing authorities of the city and parish where the court is located.

<u>Proposed law</u> provides that the marshals of city courts shall be paid by the governing authorities of the city or cities or parish, or all governing authorities, where the court has territorial jurisdiction.

<u>Present law</u> provides that the city where the court is situated shall furnish a suitable city court room and suitable offices for the judge, clerk, and marshal.

<u>Present law</u> provides that the expenses of operation and maintenance of the court room and offices shall be borne by the city, or may be apportioned between the city and parish as the respective governing authorities may determine.

<u>Proposed law</u> provides that the reasonable and necessary operating expenses or obligations incurred by the marshal and court, provided they comply with applicable budgetary requirements, shall be borne by the city or cities or parish, or all governing authorities, as determined by the respective governing authorities.

(Amends R.S. 13:1881(B), 1883(A)(intro. para.), (B), and (C), and 1889(A) and (B))