HLS 24RS-77 ENGROSSED

2024 Regular Session

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HOUSE BILL NO. 519

BY REPRESENTATIVE FARNUM

COURTS: Provides relative to marshals and constables

2 To amend and reenact R.S. 13:1881(B), 1883(A)(introductory paragraph), (B), and (C), and

1889(A) and (B), relative to certain marshals and constables of city courts; to provide relative to elections and designations of marshals and constables; to provide for the

AN ACT

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.

Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:1881(B), 1883(A)(introductory paragraph), (B), and (C), and

1889(A) and (B) are hereby amended and reenacted to read as follows:

10 §1881. General powers and duties of marshal; deputy marshals

* * *

B. The marshal may appoint one or more deputy marshals having the same powers and authority as the marshal, but the marshal shall be responsible for their actions. The compensation of the deputy marshals shall be fixed and paid by the governing authorities of the city or parish, or both city or cities or parish, or all governing authorities, where the court is located has territorial jurisdiction. The city marshal may use funds available for expenses of his office, including proceeds from costs assessed in criminal matters pursuant to R.S. 13:1899, to pay an amount in excess of the fixed salary or to pay the amount fixed or any portion thereof to deputy marshals or to employ additional deputies. However, nothing herein shall authorize

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court.

the city marshal to fix or supplement his own salary. In no event shall the salary of 1 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 city 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 B. The <u>necessary</u> expenses of operation and maintenance of the court room and offices shall be borne by the <u>city</u>, or may be apportioned between the city and parish as the respective governing authorities may determine <u>city</u> or <u>cities</u> or <u>parish</u>, or all governing authorities, as determined by the respective governing authorities.

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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 Engrossed

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 necessary expenses or obligations incurred by the marshal and court 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))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Judiciary</u> to the <u>original</u> bill:

1. Require the city or cities or parish, or all governing authorities to bear necessary expenses or obligations incurred by the marshal and court.

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2. Remove the requirement that the marshal and court comply with applicable budgetary requirements in order to have certain expenses or obligations borne by the city or cities or parish, or all governing authorities.