

2024 Regular Session

HOUSE BILL NO. 563

BY REPRESENTATIVE CARPENTER

HOUSING/AUTHORITIES: Provides relative to the civil service status of employees of housing authorities

1 AN ACT

2 To amend and reenact R.S. 40:539(C)(8), relative to employees of housing authorities; to
3 provide that employees of housing authorities shall not be in the state civil service;
4 to provide for exceptions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:539(C)(8) is hereby amended and reenacted to read as follows:

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

9 * * *

10 C.

11 * * *

12 ~~(8)(a) Except as provided in the Constitution of Louisiana and as may~~
13 ~~otherwise be authorized by the State Civil Service Commission, all employees of the~~
14 ~~authority, except authority members, the executive director, and one other employee~~
15 ~~whom the authority shall designate and employ, and except professional employees~~
16 ~~employed on a contract basis, shall be in the classified state civil service.~~

17 ~~(b) Notwithstanding any provision of Subparagraph (a) of this Paragraph or~~
18 ~~of any other law to the contrary, the Housing Authority of New Orleans shall not be~~
19 ~~considered to be an instrumentality of the state for purposes of Article X, Section~~

1 ~~1(A) of the Constitution of Louisiana, and employees of the authority shall not be~~
2 ~~included in the state civil service.~~

3 (c) ~~Notwithstanding any provision of Subparagraph (a) of this Paragraph or~~
4 ~~of any other law to the contrary, the Cottonport Housing Authority shall not be~~
5 ~~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 (d) ~~Notwithstanding any provision of Subparagraph (a) of this Paragraph or~~
9 ~~of any other law to the contrary, the housing authority of Denham Springs shall not~~
10 ~~be 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 (e) ~~Notwithstanding any provision of Subparagraph (a) of this Paragraph or~~
14 ~~of any other law to the contrary, the Housing Authority of the Town of Oil City 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 (f) ~~Notwithstanding any provision of Subparagraph (a) of this Paragraph or~~
19 ~~of any other law to the contrary, the Housing Authority of the City of Lafayette shall~~
20 ~~not be considered to be an instrumentality of the state for purposes of Article X,~~
21 ~~Section 1(A) of the Constitution of Louisiana, and employees of the authority shall~~
22 ~~not be included in the state civil service.~~

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

28 (h) ~~Notwithstanding any provision of Subparagraph (a) of this Paragraph or~~
29 ~~of any other law to the contrary, the Monroe Housing Authority shall not be~~

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

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

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

14 ~~(k) Notwithstanding any provision of Subparagraph (a) of this Paragraph or~~
15 ~~of any other law to the contrary, the Simmesport 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 ~~(l) Notwithstanding any provision of Subparagraph (a) of this Paragraph or~~
20 ~~of any other law to the contrary, the Bunkie 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 ~~(m) Notwithstanding any provision of Subparagraph (a) of this Paragraph or~~
25 ~~of any other law to the contrary, the Colfax 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.~~

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

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

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

16 (a) Notwithstanding any other provision of law to the contrary except
17 Subparagraph (b) of this Paragraph, a housing authority shall not be considered to
18 be an instrumentality of the state for purposes of Article X, Section 1(A) of the
19 Constitution of Louisiana, and employees of a housing authority shall not be
20 included in the state civil service.

21 (b) Any housing authority whose employees are included in state civil
22 service on January 1, 2024, and that desires to have its employees to continue to be
23 included in state civil service shall adopt a resolution expressing its desire and
24 transmit a certified copy of the resolution to the Department of State Civil Service.
25 If the department receives such a resolution from a housing authority prior to
26 January 1, 2025, the employees of the housing authority shall continue to be included
27 in state civil service.

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 563 Engrossed

2024 Regular Session

Carpenter

Abstract: Provides that employees of housing authorities shall not be included in the state civil service.

Present constitution (Art. X, §1(A)) provides that state civil service includes all persons holding offices and positions of trust or employment in the employ of the state, or any instrumentality thereof, or any joint state-federal, state-parochial, or state-municipal agency. Excludes members of the state police service and persons holding offices and positions of any municipal board of health or local governmental subdivision.

Proposed law retains present constitution.

Present law (R.S. 40:539(C)(8)) provides that all employees of housing authorities shall be in the classified state civil service, except as provided in the constitution or as may be authorized by the State Civil Service Commission. Present law also excepts from this requirement: authority members, the executive director, one other employee whom the authority designates, and professional employees employed on a contract basis.

Present law provides that the housing authorities in New Orleans, Cottonport, Denham Springs, Oil City, Lafayette, Monroe, Shreveport, Kenner, Simmsport, Bunkie, Colfax, Kinder, Berwick, and Morgan City, and the East Baton Rouge Parish Housing Authority shall not be considered instrumentalities of the state for purposes of Const. Art. X, §1(A) and that employees of the authorities shall not be included in the state civil service.

Proposed law removes present law and provides that a housing authority shall not be considered to be an instrumentality of the state for purposes of Const. Art. X, §1(A) and employees of a housing authority shall not be included in the state civil service. However, proposed law authorizes any housing authority whose employees are included in state civil service on Jan. 1, 2024, to continue to have its employees included in state civil service by submitting a resolution to the Dept. of State Civil Service prior to Jan. 1, 2025.

(Amends R.S. 40:539(C)(8))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill:

1. Add authority for housing authorities to continue to have their employees included in state civil service.