
DIGEST

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HB No. 318

Abstract: Changes the election sections for the City Court of Baton Rouge and provides that three judges are elected from election section one and two judges are elected from election section two.

Present law provides for the City Court of Baton Rouge, domiciled in Baton Rouge and having five city judges and a city constable. Provides that the court is divided into five divisions, "A", "B", "C", "D", and "E" and its territorial jurisdiction shall extend throughout the territorial area of the city of Baton Rouge as extended from time to time. Provides for the purpose of electing judges, the court is divided into two election sections and that two judges (divisions "B" and "D") are elected in election section one and three judges (divisions "A", "C", and "E") are elected in election section two.

Proposed law changes the composition of election section one and election section two. Further, proposed law provides that three judges shall be elected from election section one and two judges shall be elected from election section two. Proposed law provides that in addition to divisions "B" and "D" assigned to election section one for election purposes, the first vacancy occurring on or after the effective date of proposed law in a judgeship designated as division "A", "C", or "E" of the city court shall be filled by election from election section one and thereafter such judgeship shall be assigned to election section one for election purposes. Provides that if no special election to fill such a vacancy has occurred or is scheduled to occur prior to the opening of the qualifying period for the regularly scheduled election to fill judgeships for the city court, then the judgeship designated as division "E" shall be assigned to election section one for election purposes for such regularly scheduled election and thereafter. Proposed law specifies that the two remaining judgeships shall be assigned to election section two for election purposes.

Proposed law specifies that in addition to qualifications provided by law for a judge of the Baton Rouge City Court, a candidate for a judgeship elected by either election section need only be a resident of the city of Baton Rouge and that the provisions of proposed law shall not be construed in any manner to decrease the term of any judge serving on the effective date of proposed law or to prohibit any judge from seeking reelection in any division of the court.

Present law allows the metropolitan council for the city of Baton Rouge, parish of East Baton Rouge, to assign annexations which are approved subsequent to June 15, 1993, to the appropriate election section. Requires the metropolitan council to submit such assignment by certified mail or by hand delivery with receipt to the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs for approval. Provides that the

committees have 45 days to determine, either jointly or separately, whether the assignment shall be approved or disapproved. Specifies that if the time period for action by the committees lapses without action by such committees, the assignment is deemed approved, and if one or both committees disapprove the assignment, such assignment is not effective for any purpose.

Proposed law provides for the assignment of annexations subsequent to May 26, 2010, and otherwise retains present law.

Proposed law specifies that precincts referenced in district descriptions in proposed law are those contained in the file named "2012 Precinct Shapefiles" published on the Louisiana House of Representatives website. Specifies that the 2012 Precinct Shapefiles are based upon those Voting Districts (VTDs) contained in the 2010 Census Redistricting TIGER/Line Shapefiles for the state of Louisiana as those files have been modified by the staff of the legislature to represent precinct changes submitted through Aug. 8, 2012, to the legislature by parish governing authorities pursuant to the provisions of R.S. 18:532 and 532.1.

Proposed law additionally provides that when a precinct is subdivided on a nongeographic or geographic basis under present law (R.S. 18:532.1), the general precinct designation in the district description includes all nongeographic and geographic subdivisions of the precinct within the corporate limits of Baton Rouge, and specifies that the territorial limits of the election sections as provided in proposed law shall continue in effect without change regardless of any changes made to the precincts by the parish governing authority. Specifically excepts changes to the territorial limits made as provided in proposed law relative to annexations.

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

(Amends R.S. 13:1952(4))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill.

1. Rather than providing that division "E" is in election section one, provides that first vacancy in division "A", "C", or "E" that occurs before qualifying opens for the regularly scheduled city court elections shall be filled by election in election section one and that judgeship shall be assigned to such election section for election purposes, however if there is no such special election, then division "E" shall be assigned to election section one. Specifies that "B" and "D" are assigned to election section one and the remaining two judgeships are assigned to election section two.
2. Removes specific list of possible changes to precincts by the parish governing authority and provides instead that regardless of any change, the territorial limits of the election sections established in proposed law continue in effect.