

SENATE BILL NO. 232

BY SENATOR MILLS

1 AN ACT

2 To amend and reenact R.S. 13:2583.1(A) and (C), 2583.2(A) and (B), 2583.3(A), 2583.4(A)
3 and (B), 2583.5(A) and (B) and to enact R.S. 13:2583.6, relative to constables; to
4 require certain training; to provide relative to the filing of certain oaths of office; to
5 authorize a constable of a justice of the peace court in St. Martin Parish to appoint
6 a deputy; to provide for compensation; to provide for qualifications of office; to
7 provide for residency requirements; to provide for prohibitions; and to provide for
8 related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 13:2583.1(A) and (C), 2583.2(A) and (B), 2583.3(A), 2583.4(A) and
11 (B), 2583.5(A) and (B) are hereby amended and reenacted and R.S. 13:2583.6 is hereby
12 enacted to read as follows:

13 §2583.1. Deputies; oath; compensations

14 A. Each duly elected constable of a justice of the peace court in East Baton
15 Rouge Parish and Jefferson Parish may appoint as many deputy constables as
16 necessary for whose acts he shall be responsible. The deputies before entering upon
17 their duties, shall take the oath required by the constitution and the laws of this state
18 and meet the requirements of R.S. 40:2402 through 2406. **A duplicate copy of the**
19 **oath of office shall be filed with the office of the attorney general within seventy-**
20 **two hours after being administered.** Any deputy constable appointed pursuant to

1 this Section shall not be entitled to any compensation from any local governing body
 2 or political subdivision, other than the constable's office, and shall not be entitled to
 3 any compensation from the state. Each constable may fix the compensation of his
 4 deputies and clerical forces. He shall pay from the fees generated by his office the
 5 compensation due all deputies and clerical assistants, the premiums on bonds
 6 required by him of any deputy in charge of public funds, insurance premiums, if
 7 provided, and any and all other expenses of any nature whatsoever necessary for the
 8 performance of all duties required of the deputy. He shall issue monthly or twice per
 9 month, at his discretion, to employees and deputies warrants or checks for the
 10 amounts due them.

11 * * *

12 C. The deputy constables authorized by this Section shall have the same
 13 qualifications **and training** as required by law of the constable of the justice of the
 14 peace court. The deputy constable need not be a resident of the ward from which the
 15 constable is elected, but he must be a resident of the parish within which the ward
 16 is located.

17 * * *

18 §2583.2. Deputies; oath; compensations; Union Parish

19 A. Each duly elected constable of a justice of the peace court in Union Parish
 20 may appoint one deputy constable, if necessary, for whose acts the constable shall
 21 be responsible. Before entering upon his duties, each deputy shall take the oath
 22 required by the constitution and the laws of this state **and meet the requirements**
 23 **of R.S. 40:2402 through 2406. A duplicate copy of the oath of office shall be**
 24 **filed with the office of the attorney general within seventy-two hours after being**
 25 **administered.** Any deputy constable appointed pursuant to this Section shall not be
 26 entitled to any compensation from any local governing body or political subdivision,
 27 other than the constable's office, and shall not be entitled to any compensation from
 28 the state. Each constable may fix the compensation of his deputy. He shall pay from
 29 the fees generated by his office the compensation due the deputy, the premiums on
 30 bonds required by him of a deputy in charge of public funds, insurance premiums,

1 if provided, and any and all other expenses of any nature whatsoever necessary for
2 the performance of all duties required of the deputy. He shall issue monthly or twice
3 per month, at his discretion, to the deputy warrants or checks for the amounts due
4 him.

5 B. Each deputy constable authorized by this Section shall have the same
6 qualifications **and training** as required by law for a constable of a justice of the
7 peace court. The deputy constable need not be a resident of the ward from which the
8 constable is elected, but he must be a resident of Union Parish.

9 * * *

10 §2583.3. Deputies; oath; compensations; Caddo Parish

11 A. Each duly elected constable of a justice of the peace court in Caddo Parish
12 may appoint one or more deputy constables, if necessary, for whose acts the
13 constable shall be responsible. Before entering upon his duties, each deputy shall
14 take the oath required by the constitution and the laws of this state **and meet the**
15 **requirements of R.S. 40:2402 through 2406. A duplicate copy of the oath of**
16 **office shall be filed with the office of the attorney general within seventy-two**
17 **hours after being administered.** Any deputy constable appointed pursuant to this
18 Section shall not be entitled to any compensation from any local governing body or
19 political subdivision, other than the constable's office, and shall not be entitled to any
20 compensation from the state. Each constable may fix the compensation of his deputy
21 or deputies. He may pay from the fees generated by his office any compensation due
22 to a deputy, the premiums on bonds required by him of a deputy in charge of public
23 funds, insurance premiums, and any expenses necessary for the performance of
24 duties required of a deputy. He may issue monthly or twice per month, at his
25 discretion, warrants or checks for the amounts due to a deputy.

26 * * *

27 §2583.4. Deputies; oath; compensation; Ascension Parish

28 A. Each duly elected constable of a justice of the peace court in Ascension
29 Parish may appoint one deputy constable, if necessary, for whose acts the constable
30 shall be responsible. Before entering upon his duties, each deputy shall take the oath

1 required by the constitution and the laws of this state **and meet the requirements**
 2 **of R.S. 40:2402 through 2406. A duplicate copy of the oath of office shall be filed**
 3 **with the office of the attorney general within seventy-two hours after being**
 4 **administered.** Any deputy constable appointed pursuant to this Section shall not be
 5 entitled to any compensation from any local governing body or political subdivision,
 6 other than the constable's office, and shall not be entitled to any compensation from
 7 the state. Each constable may fix the compensation of his deputy. He may pay from
 8 the fees generated by his office any compensation due the deputy, the premiums on
 9 bonds required by him of a deputy in charge of public funds, insurance premiums,
 10 and any expenses necessary for the performance of duties required of the deputy. He
 11 may issue monthly or twice per month, at his discretion, to the deputy warrants or
 12 checks for the amounts due him.

13 B. Each deputy constable authorized by this Section shall have the same
 14 qualifications **and training** as required by law for a constable of a justice of the
 15 peace court. The deputy constable need not be a resident of the ward from which the
 16 constable is elected, but he must be a resident of Ascension Parish.

17 * * *

18 §2583.5. Deputies; oath; compensation; Calcasieu Parish

19 A. Each duly elected constable of a justice of the peace court in Calcasieu
 20 Parish may appoint one deputy constable, if necessary, for whose acts the constable
 21 shall be responsible. Before entering upon his duties, each deputy shall take the oath
 22 required by the constitution and the laws of this state **and meet the requirements**
 23 **of R.S. 40:2402 through 2406. A duplicate copy of the oath of office shall be filed**
 24 **with the office of the attorney general within seventy-two hours after being**
 25 **administered.** Any deputy constable appointed pursuant to this Section shall not be
 26 entitled to any compensation from any local governing body or political subdivision,
 27 other than the constable's office, and shall not be entitled to any compensation from
 28 the state. Each constable may fix the compensation of his deputy. He may pay from
 29 the fees generated by his office any compensation due the deputy, the premiums on
 30 bonds required by him of a deputy in charge of public funds, insurance premiums,

1 and any expenses necessary for the performance of duties required of the deputy. He
 2 may issue monthly or twice per month, at his discretion, to the deputy warrants or
 3 checks for the amounts due him.

4 B. Each deputy constable authorized by this Section shall have the same
 5 qualifications **and training** as required by law for a constable of a justice of the
 6 peace court. The deputy constable need not be a resident of the ward from which the
 7 constable is elected, but he must be a resident of Calcasieu Parish.

8 * * *

9 **§2583.6. Deputies; oath; compensation; St. Martin Parish**

10 **A. Each duly elected constable of a justice of the peace court in St.**
 11 **Martin Parish may appoint one deputy constable, if necessary, for whose acts**
 12 **the constable shall be responsible. Before entering upon his duties, the deputy**
 13 **shall take the oath required by the constitution and the laws of this state and**
 14 **meet the requirements of R.S. 40:2402 through 2406. A duplicate copy of the**
 15 **oath of office shall be filed with the office of the attorney general within seventy-**
 16 **two hours after being administered. The deputy constable appointed pursuant**
 17 **to this Section shall not be entitled to any compensation from any local**
 18 **governing body or political subdivision, other than the constable's office, and**
 19 **shall not be entitled to any compensation from the state. Each constable may**
 20 **fix the compensation of his deputy. He may pay from the fees generated by his**
 21 **office any compensation due the deputy, the premiums on bonds required by**
 22 **him of a deputy in charge of public funds, insurance premiums, and any**
 23 **expenses necessary for the performance of duties required of the deputy. He**
 24 **may issue monthly or twice per month, at his discretion, to the deputy warrants**
 25 **or checks for the amounts due him.**

26 **B. The deputy constable authorized by this Section shall have the same**
 27 **qualifications and training as required by law for a constable of a justice of the**
 28 **peace court. However, a deputy constable need not be a resident of the ward**
 29 **from which the constable is elected, but he must be a resident of St. Martin**
 30 **Parish.**

1 **C. The provisions of this Section shall have no effect on nor limit the**
2 **authority of a justice of the peace to appoint a special deputy constable pursuant**
 to R.S. 13:3477.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____