

2015 Regular Session

HOUSE BILL NO. 122

BY REPRESENTATIVE PONTI

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

REAPPORTIONMENT/JUDGES: Provides relative to the election of judges for the City Court of Baton Rouge

1 AN ACT

2 To amend and reenact R.S. 13:1952(4), relative to the City Court of Baton Rouge; to provide
3 for the election of judges to the City Court of Baton Rouge; to remove provisions
4 relative to the use of election sections to elect judges of the court; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:1952(4) is hereby amended and reenacted to read as follows:

8 §1952. Courts created by special legislative Act

9 The following city courts, heretofore created and established by special
10 legislative Act, are hereby recognized and continued in existence and, except as
11 otherwise provided in this Section, their territorial jurisdiction shall extend through
12 the city and ward or wards wherein the city in which they are domiciled is located,
13 as extended from time to time:

14 * * *

15 (4)~~(a)~~ The City Court of Baton Rouge, domiciled in the city of Baton Rouge,
16 parish of East Baton Rouge, having five city judges and a city constable. The court
17 shall be divided into five divisions, namely, divisions "A", "B", "C", "D", and "E"
18 and its territorial jurisdiction shall extend throughout the territorial area of the city
19 of Baton Rouge as extended from time to time.

1 ~~(b) For the purpose of electing judges, the court shall be divided into two~~
2 ~~election sections. Election section one shall consist of precincts: 1-1A, 1-1B, 1-3A,~~
3 ~~1-3B, 1-4, 1-5, 1-6, 1-8, 1-11, 1-13A, 1-13B, 1-16, 1-17, 1-18, 1-19, 1-20, 1-21, 1-~~
4 ~~22, 1-23, 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-31A, 1-31B, 1-38A, 1-38B, 1-45, 1-~~
5 ~~46A, 1-46B, 1-46C, 1-46D, 1-50A, 1-50B, 1-51A, 1-51B, 1-58A, 1-58B, 1-61, 1-67,~~
6 ~~1-68, 1-84A, 1-84B, 1-85A, 1-85B, 1-86A, 1-86B, 1-91, 1-92A, 1-92B, 1-93, 1-94A,~~
7 ~~1-94B, 1-95A, 1-95B, 1-96A and 1-96B. Election section two shall consist of~~
8 ~~precincts: 1-7, 1-10, 1-14A, 1-14B, 1-15A, 1-15B, 1-30, 1-32, 1-33, 1-34A, 1-34B,~~
9 ~~1-35, 1-36A, 1-36B, 1-36C, 1-36D, 1-37, 1-39, 1-40, 1-41, 1-42, 1-43, 1-44, 1-48A,~~
10 ~~1-48B, 1-49A, 1-49B, 1-52A, 1-52B, 1-53A, 1-53B, 1-53C, 1-53D, 1-54A, 1-54B,~~
11 ~~1-55A, 1-55B, 1-56A, 1-56B, 1-57, 1-59, 1-60A, 1-60B, 1-62, 1-63, 1-64, 1-65, 1-~~
12 ~~69A, 1-69B, 1-71A, 1-71B, 1-71C, 1-71D, 1-72A, 1-72B, 1-72C, 1-73A, 1-73B, 1-~~
13 ~~74A, 1-74B, 1-74C, 1-75A, 1-75B, 1-75C, 1-75D, 1-76A, 1-76B, 1-76C, 1-76D, 1-~~
14 ~~78A, 1-78B, 1-79, 1-80, 1-81, 1-82A, 1-82B, 1-82C, 1-82D, 1-83A, 1-83B, 1-87, 1-~~
15 ~~88A, 1-88B, 1-89, 1-90, 1-97, 1-98A, 1-98B, 1-99A, 1-99B, and 1-99C.~~

16 ~~(c) Two judges shall be elected by election section one, and three judges~~
17 ~~shall be elected by election section two.~~

18 ~~(d) The metropolitan council for the city of Baton Rouge, parish of East~~
19 ~~Baton Rouge, is hereby authorized to assign annexations which are approved~~
20 ~~subsequent to June 15, 1993, the effective date of Act No. 609 of the 1993 Regular~~
21 ~~Session of the Legislature, to the appropriate election section. After each such~~
22 ~~assignment, the metropolitan council shall submit the assignment by certified mail~~
23 ~~or by hand delivery with receipt to the Senate Committee on Senate and~~
24 ~~Governmental Affairs and the House Committee on House and Governmental~~
25 ~~Affairs for approval. Upon the receipt of the submission, the Senate Committee on~~
26 ~~Senate and Governmental Affairs and the House Committee on House and~~
27 ~~Governmental Affairs shall have forty-five days to determine, either jointly or~~
28 ~~separately, whether the assignment shall be approved or disapproved. If the time~~
29 ~~period for action by the committees has lapsed without any action by such~~

1 ~~committees, the assignment shall be deemed approved. If one or both committees~~
2 ~~disapprove the assignment, such assignment to the election section shall not be~~
3 ~~effective for any purpose.~~

4 * * *

5 Section 2. All elections to fill a judgeship of the City Court of Baton Rouge
6 occurring after the effective date of this Act shall be held from the entire territorial area of
7 the city of Baton Rouge as extended from time to time.

8 Section 3. This Act shall become effective upon signature by the governor or, if not
9 signed by the governor, upon expiration of the time for bills to become law without signature
10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
11 vetoed by the governor and subsequently approved by the legislature, this Act shall become
12 effective on the day following such approval.

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)]

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Abstract: Provides that elections to fill judgeships for the City Court of Baton Rouge shall be held from the entire territorial area of the city rather than from election sections.

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. Proposed law retains present law.

Present law 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. Present law further 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 removes the provisions of present law dividing the court into election sections and providing for the assignment of annexations and provides instead that elections to fill

judgeships for the City Court of Baton Rouge shall be held from the entire territorial area of the city of Baton Rouge as extended from time to time.

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

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