

Regular Session, 2008

HOUSE BILL NO. 319

BY REPRESENTATIVE RICHMOND

COURTS/DISTRICT: Merge the 25th JDC into the 24th JDC

1 AN ACT

2 To amend and reenact R.S. 13:477(introductory paragraph) and (24) and 621.24 and R.S.
3 16:51(A)(24) and to repeal R.S. 13:477(25), 621.24, and 972 and R.S. 16:51(A)(25),
4 571, 572, 573, and 574, relative to the Twenty-Fourth Judicial District Court,
5 composed of Jefferson Parish, and the Twenty-Fifth Judicial District Court,
6 composed of Plaquemines Parish; to merge the Twenty-Fifth Judicial District Court
7 into the Twenty-Fourth Judicial District Court; to provide for judges of the court; to
8 provide for assistant district attorneys for the court; to provide for a referendum
9 election in the parishes of Jefferson and Plaquemines; and to provide for related
10 matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 13:477(introductory paragraph) and (24) and 621.24 are hereby
13 amended and reenacted to read as follows:

14 §477. Judicial districts

15 There shall be ~~forty-two~~ forty-one judicial districts in the state, and each
16 district shall be composed as follows:

17 * * *

18 (24) The parish of Jefferson and the parish of Plaquemines shall compose the
19 Twenty-Fourth District. The Twenty-Fourth District shall consist of two election

1 District composed of Jefferson Parish and Plaquemines Parish as provided by Act No.
2 _____ of the 2008 Regular Session of the legislature of Louisiana.

3 AGAINST the proposition that the Twenty-Fifth Judicial District composed of
4 Plaquemines Parish be merged, effective January 1, 2009, into the Twenty-Fourth Judicial
5 District composed of Jefferson Parish and Plaquemines Parish as provided by Act No.
6 _____ of the 2008 Regular Session of the legislature of Louisiana."

7 (C) The special election provided for in this Section shall be conducted in
8 accordance with law.

9 (D) If a majority of those voting thereon in each parish vote in favor of the merger
10 of the Twenty-Fifth Judicial District Court into the Twenty-Fourth Judicial District Court,
11 then on January 1, 2009, the Twenty-Fourth Judicial District Court shall be comprised of
12 Jefferson Parish and Plaquemines Parish.

13 Section 4.(A) Effective January 1, 2009, if ratified by the voters as specified in
14 Section 3 of this Act, there is hereby created one additional district judgeship for the
15 Twenty-Fourth Judicial District to be elected from election section 2 which is composed of
16 the parish of Plaquemines. The judge herein provided for and his successors shall preside
17 over Division Q, which is hereby created for purposes of nomination and election only. The
18 judge and his successors shall be elected from election section 2 which is composed of
19 Plaquemines Parish and shall have jurisdiction throughout the district, and shall receive the
20 same compensation and expense allowances, payable from the same sources and in the same
21 manner, as are now or may hereafter be provided for other judges of the state.

22 (B) The individual to be elected to the judgeship created by this Act for the Twenty-
23 Fourth Judicial District shall be elected as provided by Article V, Section 22 of the
24 Constitution of Louisiana, and shall serve a term which shall begin on January 1, 2009, and
25 which term shall expire at the same time as is provided by law for the other judges of the
26 court. Thereafter, each of the successors to the judge provided for in this Act for the
27 Twenty-Fourth Judicial District shall be elected at the same time and in the same manner and
28 shall serve the same terms as now or may be provided hereafter for other district judges of
29 the state.

1 Section 5. If approved by a majority of the voters voting in the referendum in both
2 Jefferson Parish and Plaquemines Parish, the provisions of Section 1 of this Act which
3 merges the Twenty-Fifth Judicial District Court into the Twenty-Fourth Judicial District
4 Court to be composed of Jefferson Parish and Plaquemines Parish shall become effective on
5 January 1, 2009.

6 Section 6. R.S. 13:477(25), 621.24, and 972 are hereby repealed in their entirety.
7 The provisions of this Section are effective January 1, 2009.

8 Section 7. R.S. 16:51(A)(25), 571, 572, 573, and 574 are hereby repealed in their
9 entirety. The provisions of this Section are effective January 1, 2009.

10 Section 8. The provisions of Section 3 shall become effective upon signature by the
11 governor or, if not signed by the governor, upon expiration of the time for bills to become
12 law without signature by the governor, as provided by Article III, Section 18 of the
13 Constitution of Louisiana. If vetoed by the governor and subsequently approved by the
14 legislature, this Act shall become 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)]

Richmond

HB No. 319

Abstract: Merges the 25th JDC into the 24th JDC, provide for judges of the court, provides for assistant district attorneys for the court, and provides for a referendum election in the parishes of Jefferson and Plaquemines.

Present law provides that the Twenty-Fourth Judicial District Court shall be composed of Jefferson Parish and shall have 16 judges.

Present law provides that the 24th JDC shall be composed of Plaquemines Parish and shall have four judges (but they only have two judges).

Proposed law provides that the 24th JDC shall be composed of the parishes of Jefferson and Plaquemines and shall have 17 judges.

Present law provides that each judicial district shall have a district attorney and that in the 24th JDC they shall have not less than 52 assistant district attorneys and in the 25th shall have not less than five assistant district attorneys.

Proposed law provides that there will be one district attorney for the 24th JDC and there shall be not less than 57 assistant district attorneys.

Proposed law provides for the governor to call a special election in both the parish of Jefferson and the parish of Plaquemines on the proposition that the 25th JDC be merged into the 24th JDC with a favorable vote of a majority of those voting thereon in each parish required for the 25th JDC to be merged into the 24th JDC.

Proposed law provides for one additional judge for the 24th JDC to be elected from election section two, which is composed of Plaquemines Parish, and provides for his jurisdiction, compensation, election, and term of office beginning on Jan. 1, 2009.

Proposed law repeals provisions of law providing for judges for the 25th JDC and their court reporters and repeals provisions pertaining to the office of the district attorney for the 25th JDC.

Proposed law provides for a special effective date of Jan. 1, 2009, for the merger of the 25th JDC into the 24th JDC, if in the special election a majority of the voters of both Jefferson and Plaquemines parishes approve the referendum and that provisions directing the governor to call for a special referendum election for both parishes are effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 13:477(intro.para.) and (24) and 621.24 and R.S. 16:51(A)(24); Repeals R.S. 13:477(25), 621.24, and 972 and R.S. 16:51(A)(25) and 571-574)