

Regular Session, 2008

HOUSE BILL NO. 31

BY REPRESENTATIVE RICHMOND

CRIMINAL/PROCEDURE: Amends provisions of law allowing certain elected officials to pardon individuals for violations of municipal ordinances

1 AN ACT

2 To amend and reenact R.S. 15:574.15(A)(1) and to repeal R.S. 15:574.15(C), relative to  
3 violations of municipal ordinances; to repeal the authority of certain elected parish  
4 or municipality officials to parole persons arrested for violations of certain municipal  
5 ordinances in municipalities having a population of more than four hundred fifty  
6 thousand; to repeal provision of law allowing members of the state central  
7 committee, parish executive committees, and municipal executive committees to be  
8 considered elected state, parochial, or municipal officials; and to provide for related  
9 matters.

10 Notice of intention to introduce this Act has been published  
11 as provided by Article III, Section 13 of the Constitution of  
12 Louisiana.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 15:574.15(A)(1) is hereby amended and reenacted to read as follows:

15 §574.15. Power of elected state, ~~parochial, or municipal~~ officials to parole persons  
16 arrested for violation of municipal ordinances

17 A.(1) Every elected officer of the state ~~or any parish or municipality in the~~  
18 ~~state~~ shall have the power to parole a person who is under arrest and detention for the  
19 violation of any criminal or quasi criminal ordinance, not enumerated in Paragraph  
20 (2) of this Subsection, of any municipality in any parish, within the territorial

1 jurisdiction of the state ~~or parish elected officer, and within the municipality wherein~~  
 2 ~~the municipal officer exercises his jurisdiction~~, whenever any municipality has a  
 3 population of more than four hundred fifty thousand inhabitants according to the  
 4 census of the United States for 1980 or any subsequent year. Nothing in this  
 5 Subsection shall prohibit or impede judges exercising criminal jurisdiction in district,  
 6 municipal, or traffic court to fix bail as guaranteed and authorized by Louisiana  
 7 Constitution Article I, Section 18 and Code of Criminal Procedure Article 333.

8 \* \* \*

9 Section 2. R.S. 15:574.15(C) is hereby repealed in its entirety.

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. 31

**Abstract:** Repeals authority of elected parish or municipality officials to parole persons arrested for violations of certain municipal ordinances in municipalities having a population of more than 450,000.

Present law provides that every elected officer of the state or any parish or municipality in the state shall have the power to parole a person who is under arrest and detention for the violation of certain criminal or quasi criminal ordinances, of any municipality in any parish, within the territorial jurisdiction of the state- or parish-elected officer, and within the municipality wherein the municipal officer exercises his jurisdiction, whenever any municipality has a population of more than 450,000 inhabitants according to the census of the U.S. for 1980 or any subsequent year.

Proposed law repeals authority as it relates to elected parish or municipal officers and otherwise retains the provisions of present law.

Present law further provides that members of the state central committee, parish executive committees, and municipal executive committees of political parties shall be deemed to be elected state, parochial, or municipal officials for the purposes of present law.

Proposed law repeals provision of present law.

(Amends R.S. 15:574.15(A)(1); Repeals R.S. 15:574.15(C))