Regular Session, 2011

HOUSE BILL NO. 215

BY REPRESENTATIVE SMILEY

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

ENROLLED

ACT No. 260

1	AN ACT
2	To amend and reenact R.S. 33:342(A) and 343(A), relative to classifications of
3	municipalities based upon population; to authorize a municipality under certain
4	circumstances to retain its classification when population changes would otherwise
5	change its classification; to provide procedures; to provide relative to the designation
6	of the governing authority; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 33:342(A) and 343(A) are hereby amended and reenacted to read
9	as follows:
10	§342. Change in classification of municipality; governor's proclamation; census not
11	conclusive; judicial notice
12	A. (1) Whenever a census taken by resolution of the board of aldermen of any
13	municipality or a certified report from the federal Census Bureau shows that its
14	population has increased or decreased so as to take the municipality out of its present
15	municipal class, the board of aldermen shall adopt a resolution requesting the
16	governor to change the classification of the municipality. The results of any census
17	taken by resolution of the board of aldermen shall have been certified by the person
18	authorized to take the census.
19	(2) Notwithstanding the provisions of this Section and the provisions of R.S.
20	33:341, the governing authority of a municipality may elect not to change the
21	classification of the municipality when a census shows that its population has
22	increased by fewer than two hundred persons since the last decennial census, but
23	such increase would change the municipality's classification from village to town.

Page 1 of 2

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	If the governing authority, by resolution, elects to retain its classification and not
2	change the classification as otherwise required, the mayor shall transmit a copy of
3	the resolution to the governor and to the secretary of state for recordation. Laws
4	applicable to municipalities based upon their population shall be applicable to a
5	municipality that elects not to change its classification as authorized in this
6	Paragraph based upon its population and not its classification.
7	* * *
8	§343. Nomenclature; village, town, or city council
9	A.(1) Notwithstanding the terminology used in this Part or in any other
10	provision of law, the governing authority of any municipality governed by this Part
11	may, by duly adopted resolution, elect to be known and referred to as a village, town,
12	or city council as appropriate for a municipality of its size or, if the municipality
13	elects to retain its classification as a village as authorized in R.S. 33:342(A)(2), as
14	appropriate for its classification rather than its size.
15	(2) If such action is taken the governing authority elects to be known as a
16	village, town, or city council, each individual member of such council shall
17	thereafter be known and referred to as a council member. The municipal governing
18	authority may make other conforming changes in naming conventions, but no change
19	pursuant to this Section shall in any way alter the applicability of state law to the
20	municipality, its governing authority, or the members thereof.
21	* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

Page 2 of 2

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