Regular Session, 2010

HOUSE BILL NO. 1249

BY REPRESENTATIVES BROSSETT AND LEGER

1	AN ACT
2	To amend and reenact R.S. 1:11, relative to determinations of the populations of parishes,
3	municipalities, and other political subdivisions; to provide relative to the
4	applicability of a new census to statutes that define classes of political subdivisions
5	based on population; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. The legislature recognizes that though official census numbers are
8	delivered to the president of the United States in December of the year a decennial census
9	is taken, official populations of parishes, municipalities, and other local places are not
10	available until some months later. States and local governing authorities do not know in
11	advance exactly when this information will be available to them or how they will be affected
12	once the numbers are available. The legislature also recognizes that when a law becomes
13	applicable or no longer applicable to a parish or municipality due to a change in population,
14	the effect of such a change is the same as an enactment by the legislature. Therefore, the
15	legislature concludes that there should be a date certain on which a new census becomes the
16	census used to determine the applicability of laws that apply to classes of political
17	subdivisions identified by population categories and that the normal effective date of laws
18	passed during a regular session of the Legislature of Louisiana is an appropriate date.
19	Section 2. R.S. 1:11 is hereby amended and reenacted to read as follows:
20	§11. Population, how determined; new census
21	<u>A.</u> Except as otherwise provided, the number of inhabitants of a political
22	subdivision is that shown by the latest regular or special federal census.

Page 1 of 3

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

1	B. To provide for orderly transition in the implementation of any law
2	applicable to a class of political subdivisions identified by a population category, a
3	particular federal census shall become the "latest" and the "most recent" federal
4	census on August fifteenth of the year following the year in which the census is
5	taken and shall remain the "latest" and "most recent" federal census until August
6	fifteenth of the year following the year in which the subsequent census is taken;
7	however, the provisions of this Subsection shall not apply to any law providing for
8	reapportionment or redistricting.
9	Section 3. R.S. 1:11(B) is hereby amended and reenacted to read as follows:
10	§11. Population, how determined; new census
11	* * *
12	B. To provide for orderly transition in the implementation of any law
13	applicable to a class of political subdivisions identified by a population category, a
14	particular federal census shall become the "latest" and the "most recent" federal
15	census on August fifteenth first of the year following the year in which the census
16	is taken and shall remain the "latest" and "most recent" federal census until August
17	fifteenth first of the year following the year in which the subsequent census is taken;
18	however, the provisions of this Subsection shall not apply to any law providing for
19	reapportionment or redistricting.
20	Section 4.(A) Sections 1 and 2 and this Section of this Act shall become effective
21	upon signature of this Act by the governor or, if not signed by the governor, upon expiration
22	of the time for bills to become law without signature by the governor, as provided by Article
23	III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and
24	subsequently approved by the legislature, Sections 1 and 2 and this Section of this Act shall
25	become effective on the day following such approval.
26	(B) Section 3 of this Act shall take effect and become operative if and when the
27	proposed amendment of Article III of the Constitution of Louisiana contained in Act No. 537

Page 2 of 3

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

HB NO. 1249

- 1 of the 2009 Regular Session of the Legislature of Louisiana is adopted at a statewide election
- 2 to be held in 2010 and becomes effective.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____