

2023 Regular Session

HOUSE BILL NO. 226

BY REPRESENTATIVE FARNUM

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

COURTS: Provides relative to marshals and constables

1 AN ACT

2 To amend and reenact R.S. 13:1879, 1881(B), and 1883(A)(introductory paragraph) and (C)  
3 relative to certain marshals and constables of city courts; to provide relative to  
4 elections and designations of marshals and constables; to provide for the  
5 compensation of certain marshals and constables; to provide for the designation of  
6 the marshal of the city of Sulphur; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:1879, 1881(B), and 1883(A)(introductory paragraph) and (C) are  
9 hereby amended and reenacted to read as follows:

10 §1879. Marshals and constables; election; term of office; exceptions ~~for Lake~~  
11 ~~Charles and Baton Rouge~~

12 A.(1) For ~~Except as provided in Subsection B of this Section,~~ for each city  
13 court, ~~except in the city of Lake Charles,~~ there shall be a marshal or constable, as he  
14 may be designated. ~~Except as provided in Subsection C Paragraph (B)(1) of this~~  
15 Section, each marshal or constable shall be elected at the congressional election,  
16 beginning in the year 1960 and every succeeding six years thereafter, shall serve a  
17 term of six years, and shall take office and begin his term on the first day of January  
18 following election. ~~In the city of Lake Charles, the marshal shall be designated as~~  
19 ~~the ward three marshal.~~

1             ~~B.(2)~~ Except as provided in ~~Sub-section C~~ Paragraph (B)(1) of this Section,  
2 the term of office of marshals of city courts, whether their respective offices are  
3 presently in existence or are subsequently created shall expire on the 31st day of  
4 December in the year 1960 and every six years thereafter.

5             ~~C.B.(1)~~ The city constable of the city of Baton Rouge shall be elected in  
6 accordance with and pursuant to the applicable provisions of the charter of the city  
7 of Baton Rouge and the applicable provisions of the plan of government for the  
8 parish of East Baton Rouge and the city of Baton Rouge.

9             (2) In the city of Lake Charles, the marshal shall be designated as the ward  
10 three marshal.

11            (3) In the city of Sulphur, the marshal shall be designated as the ward four  
12 marshal.

13            ~~D.C.~~ Except as otherwise provided by law, the provisions of this Part relating  
14 to marshals of city courts and their deputies shall apply to constables of city courts  
15 and their deputies.

16   \*     \*     \*

17 §1881. General powers and duties of marshal; deputy marshals

18   \*     \*     \*

19            B. The marshal may appoint one or more deputy marshals having the same  
20 powers and authority as the marshal, but the marshal shall be responsible for their  
21 actions. The compensation of the deputy marshals shall be fixed and paid by the  
22 governing authorities of the city or parish, or both, where the court ~~is located~~ has  
23 territorial jurisdiction. The city marshal may use funds available for expenses of his  
24 office, including proceeds from costs assessed in criminal matters pursuant to R.S.  
25 13:1899, to pay an amount in excess of the fixed salary or to pay the amount fixed  
26 or any portion thereof to deputy marshals or to employ additional deputies.  
27 However, nothing herein shall authorize the city marshal to fix or supplement his  
28 own salary. In no event shall the salary of any deputy exceed that of his city  
29 marshal.

30   \*     \*     \*

1 §1883. Compensation of marshal

2 A. The marshals of the city courts enumerated in this Subsection shall  
3 receive as compensation for their services the following minimum salaries, payable  
4 monthly on their own warrant and which, except as otherwise indicated, shall be paid  
5 in equal proportions by the respective governing authorities of the city and parish  
6 where the court ~~is located~~ has territorial jurisdiction:

7 \* \* \*

8 C. Except as provided in R.S. 13:2071, in all other cases the marshal's salary  
9 shall be paid by the governing body of the city and parish where the court ~~is located~~  
10 has territorial jurisdiction, in such amounts as they may determine, except that where  
11 the population of the territorial jurisdiction of the court is more than 10,000  
12 inhabitants, the marshal shall receive a minimum annual salary of \$3,600 payable  
13 monthly in equal proportions by the governing authorities of the city and parish on  
14 the warrant of the marshal.

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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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HB 226 Original                      2023 Regular Session                      Farnum

**Abstract:** Provides relative to the designation of the marshal of the city court of Sulphur and the source of funding for certain marshals and constables.

Present law provides that a marshal or constable, except the marshal of the City Court of Lake Charles, may be designated for each city court.

Proposed law adds an exception for the marshal of the city of Sulphur and designates the marshal as the ward four marshal.

Present law provides for the payment of deputy marshal salaries exclusively by the local governing authority of the city or parish, or both, where the court is located.

Proposed law provides for the payment of deputy marshal salaries by the local governing authority of the city or parish, or both, where the court has territorial jurisdiction.

Present law provides that the marshals of city courts shall be paid by the governing authorities of the city and parish where the court is located.

Proposed law provides that the marshals of city courts shall be paid by the governing authorities of the city and parish where the court has territorial jurisdiction.

(Amends R.S. 13:1879, 1881(B), and 1883(A)(intro. para.) and (C))