

Regular Session, 2011

HOUSE BILL NO. 521

BY REPRESENTATIVES AUBERT AND PATRICIA SMITH

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

REAPPORTIONMENT/JUDGES: Provides relative to the Court of Appeal, First Circuit

1 AN ACT

2 To amend and reenact R.S. 13:312(1)(b) and 312.1(A), relative to the Court of Appeal for
3 the First Circuit; to provide election sections for the election of judges to the first and
4 third districts of the Court of Appeal for the First Circuit; to provide for the
5 assignment of judgeships for election purposes; to provide for the election of judges;
6 to provide for effectiveness; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 13:312(1)(b) and 312.1(A) are hereby amended and reenacted to read
9 as follows:

10 §312. Courts of appeal; circuits and districts

11 There shall be five court of appeal circuits, which shall be subdivided into
12 districts as follows:

13 1.

14 * * *

15 (b) Districts of first circuit. (i) The parishes of Ascension, Assumption,
16 Iberville, Lafourche, Pointe Coupee, St. Mary, Terrebonne, and West Baton Rouge
17 shall compose the first district of the first circuit. The first district shall be further
18 divided into ~~two~~ three election sections.

19 (aa) Election section one shall be composed of ~~Ascension Parish,~~
20 ~~Assumption Parish, Iberville Parish, Pointe Coupee Parish, and West Baton Rouge~~

1 Parish Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21,
 2 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 40, 41, 43, 50, 55, 58, 60, and 61 of
 3 Ascension Parish; Precincts 1-1, 1-2, 2-1, 2-2, 2-3, 3-1, 3-2, 4-1, 4-2, 5-1, 5-2, 5-3,
 4 5-4, 7-2, 8-1, and 9-1 of Assumption Parish; Precincts 4, 5, 6A, 24, 25, 25A, 25B,
 5 26, 26A, 27, 28, 29, 30, and 31 of Iberville Parish; Precincts 1, 2, 3, 4, 5, 6, 16A,
 6 16B, 17, 18, 20A, 20B, and 21 of Pointe Coupee Parish; and Precincts 2-1A, 2-1B,
 7 2-2, 2-3, 3-1B, 7-1, and 7-4 of West Baton Rouge Parish.

8 (bb) Election section two shall be composed of Lafourche Parish, St. Mary
 9 Parish, and Terrebonne Parish.

10 (cc) Election section three shall be composed of Precincts 36, 37, 39, 42, 44,
 11 45, 47, 48, 49, 51, 52, 53, 54, 56, and 57 of Ascension Parish; Precincts 6-1, 6-2, and
 12 7-1 of Assumption Parish; Precincts 1, 2, 3, 6, 7, 8, 10, 11, 12, 13, 13A, 13B, 13C,
 13 14, 14A, 14B, 15, 15A, 15B, 16, 17, 17A, 18, 19, 19A, 20, 21, 22, 23, and 32 of
 14 Iberville Parish; Precincts 7, 8, 9, 10A, 10B, 11, 12, 13A, 13B, 14, 15A, 15B, 19A,
 15 22A, 23, and 24 of Pointe Coupee Parish; and Precincts 1-1, 3-1A, 3-2, 4-1, 4-2,
 16 4-3A, 4-3B, 4-4, 4-5, 5-1, 6-1, 6-2, 7-2, and 7-3 of West Baton Rouge Parish.

17 (ii) The parish of East Baton Rouge shall compose the second district of the
 18 first circuit.

19 (iii) The parishes of East Feliciana, Livingston, St. Helena, St. Tammany,
 20 Tangipahoa, Washington, and West Feliciana shall compose the third district of the
 21 first circuit. The third district shall be further divided into two election sections.

22 (aa) Election section one shall be composed of East Feliciana Parish; St.
 23 Helena Parish; Precincts 1, 2, 6, 11, 15, 16, 17, 18, 26, 27A, 42, 42A, 43, 45, 45A,
 24 46, 47, 48, 49, 101, 103, 105, 107, 109, 109A, 111, 111A, 115B, 119, 123, 129, and
 25 129A of Tangipahoa Parish; and West Feliciana Parish.

26 (bb) Election section two shall be composed of Livingston Parish; St.
 27 Tammany Parish; Precincts 27, 28, 28A, 33, 40, 40A, 41, 44, 70, 70A, 71, 72, 72A,
 28 73, 74, 102, 104, 104A, 106, 106A, 106B, 108, 110, 112, 114, 116, 117, 118, 120,
 29 120A, 120B, 121, 121A, 121B, 122, 122A, 124, 125, 127, 127A, 133, 133A, 137,

1 continue in effect without change regardless of any changes made to the precincts by the
2 parish governing authority.

3 Section 3.(A) The judgeship designated on the effective date of this Act as Division
4 C of the first district of the Court of Appeal for the First Circuit is hereby assigned to
5 election section one of the first district for election purposes. The judgeship designated on
6 the effective date of this Act as Division B of the first district of the Court of Appeal for the
7 First Circuit is hereby assigned to election section three of the first district for election
8 purposes. The judgeships designated on the effective date of this Act as Divisions A and D
9 of the first district of the Court of Appeal for the First Circuit are hereby assigned to election
10 section two of the first district for election purposes.

11 (B) The judgeship designated on the effective date of this Act as Division D of the
12 third district of the Court of Appeal for the First Circuit is hereby assigned to election
13 section one for election purposes. The judgeships designated on the effective date of this
14 Act as Divisions A and B of the third district of the Court of Appeal for the First Circuit are
15 hereby assigned to election section two for election purposes.

16 Section 4. The provisions of Section 2 of Act 369 of the 2008 Regular Session of the
17 Legislature shall be null, void, and of no effect.

18 Section 5. This Act shall become effective upon signature by the governor or, if not
19 signed by the governor, upon expiration of the time for bills to become law without signature
20 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
21 vetoed by the governor and subsequently approved by the legislature, this Act shall become
22 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)]

Aubert

HB No. 521

Abstract: Provides geographic boundaries for election sections in the first and third districts of the Court of Appeal for the First Circuit and provides for the assignment of judgeships in those districts for election purposes.

Statistical summaries of proposed law as well as maps illustrating proposed district boundaries accompany this digest. (*Attached to hard copies of the bill distributed during session and available as a separate document on the Internet.*)

Present law divides the state into five court of appeal circuits and divides each circuit into three districts. Provides that the Court of Appeal for the First Circuit is comprised of Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Lafourche, Livingston, Pointe Coupee, St. Helena, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Washington, West Baton Rouge, and West Feliciana parishes.

Present law provides that the first district of the Court of Appeal for the First Circuit is comprised of Ascension, Assumption, Iberville, Lafourche, Pointe Coupee, St. Mary, Terrebonne, and West Baton Rouge parishes. Provides that the second district of the Court of Appeal for the First Circuit is comprised of East Baton Rouge Parish. Provides that the third district of the Court of Appeal for the First Circuit is comprised of East Feliciana, Livingston, St. Helena, St. Tammany, Tangipahoa, Washington, and West Feliciana parishes.

Present law provides that four judges are elected from each of the three districts of the first circuit.

Proposed law retains present law.

First District

Present law divides the first district into two election sections. Provides that election section one is comprised of Ascension, Assumption, Iberville, Pointe Coupee, and West Baton Rouge parishes. Proposed law divides the first district into three election sections instead of two. Changes the composition of election section one by enacting election section three within the geographic boundaries of election section one.

Present law provides that election section two is comprised of Lafourche, St. Mary, and Terrebonne parishes. Proposed law retains present law.

Present law provides that in the first district, one judge, Division C, shall be elected from election section one by the qualified electors of election section one, and one judge, Division A, shall be elected from election section two by the qualified electors of election section two. Provides that the remaining two judges, Divisions B and D, shall be elected by the qualified electors of the entire first district.

Proposed law provides that in the first district, one judge, Division C, shall be elected from election section one by the qualified electors of election section one, and one judge, Division B (instead of A), shall be elected from the newly enacted election section three by the qualified electors of election section three. Provides that the remaining two judges in the first district, Divisions A and D, shall be elected from election section two by the qualified electors of election section two, instead of being elected district wide.

Present law provides that the election to fill the judgeship designated as Division C of the first district shall be held at the congressional elections to be held in 2014 from election section one as established by present law or at any specially called election due to the earlier of the death, resignation, retirement, or incapacity of a judge. Provides that the election to fill the judgeship designated as Division A of the first district shall be held at the congressional elections to be held in 2018 from election section two as established by present law or at any specially called election due to the earlier of the death, resignation, retirement, or incapacity of a judge.

Proposed law repeals present law. Provides that the judgeship designated on the effective date of proposed law as Division C of the first district is assigned to election section one for

election purposes. Provides that the judgeship designated on the effective date of proposed law as Division B of the first district is assigned to election section three for election purposes. Provides that the judgeships designated on the effective date of proposed law as Divisions A and D of the first district are assigned to election section two for election purposes.

Third District

Proposed law enacts two election sections in the third district. Provides that in the third district, one judge, Division D, shall be elected from election section one by the qualified electors of election section one, and two judges, Divisions A and B, shall be elected from election section two by the qualified electors of election section two. Provides that the remaining judge in the third district, Division C, shall be elected by the qualified electors of the entire third district.

Proposed law provides that the judgeship designated on the effective date of proposed law as Division D of the third district is assigned to election section one for election purposes. Provides that the judgeships designated on the effective date of proposed law as Divisions A and B of the third district are assigned to election section two for election purposes.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 13:312(1)(b) and 312.1(A))

Total Population

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	Total Hispanic	Reg Total Jan 2011
Election Section1	135,290	106,717	23,933	1,284	841	2,515	5,345	82,774
	100.000%	78.880%	17.690%	0.949%	0.622%	1.859%	3.951%	84.035%
Election Section2	262,828	187,442	53,725	3,246	12,101	6,314	10,988	144,855
	100.000%	71.317%	20.441%	1.235%	4.604%	2.402%	4.181%	73.855%
Election Section3	75,323	32,051	41,962	325	208	777	1,877	46,830
	100.000%	42.551%	55.709%	0.431%	0.276%	1.032%	2.492%	82.596%
Grand Total	473,441	326,210	119,620	4,855	13,150	9,606	18,210	274,459
	100.000%	68.902%	25.266%	1.025%	2.778%	2.029%	3.846%	78.119%

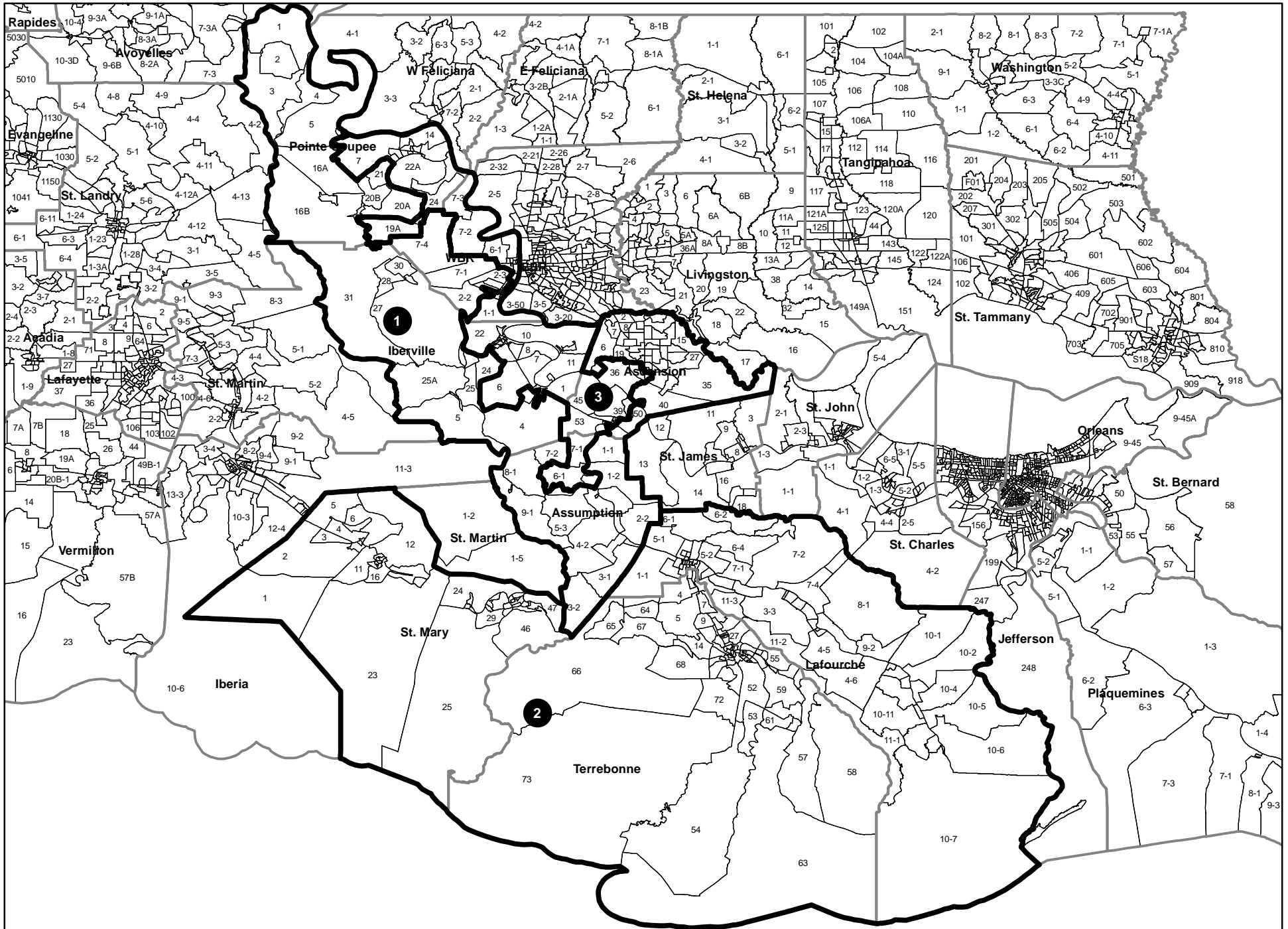
Voter Registration

	Reg Total Jan 2011	Reg White Jan 2011	Reg Black Jan 2011	Reg Other Jan 2011	Reg Dem Total Jan 2011	Reg Rep Total Jan 2011	Reg Other Total Jan 2011
Election Section1	82,774	66,963	13,162	2,649	40,363	23,208	19,203
	84.035%	80.899%	15.901%	3.200%	48.763%	28.038%	23.199%
Election Section2	144,855	111,236	27,111	6,508	71,757	36,932	36,166
	73.855%	76.791%	18.716%	4.493%	49.537%	25.496%	24.967%
Election Section3	46,830	20,604	25,538	688	33,110	6,014	7,706
	82.596%	43.997%	54.533%	1.469%	70.703%	12.842%	16.455%
Grand Total	274,459	198,803	65,811	9,845	145,230	66,154	63,075

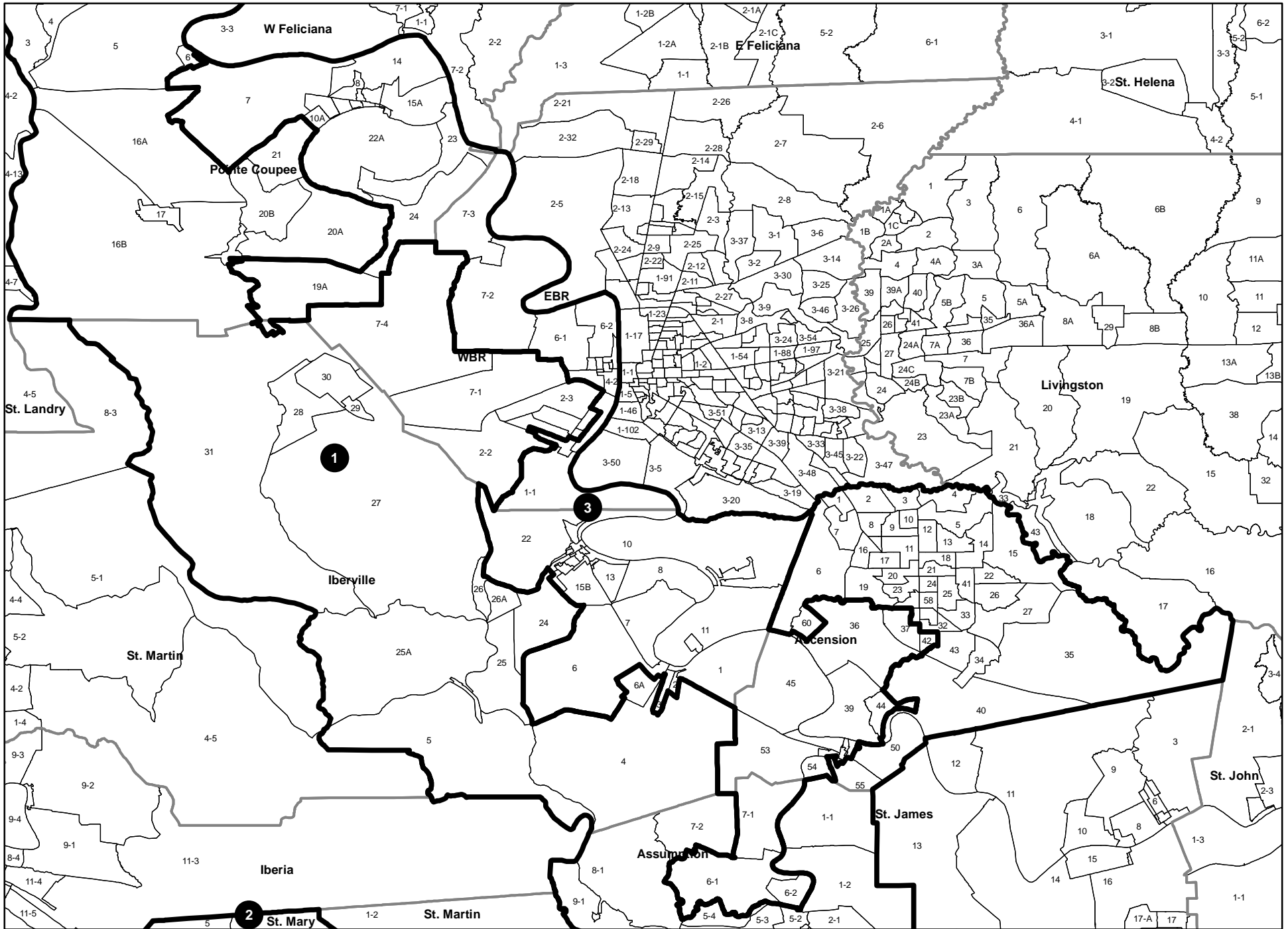
Splits

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Jan 2011	Reg White Jan 2011	Reg Black Jan 2011	Reg Other Jan 2011
Election Section1																
*Ascension	90,538	73,589	13,256	1,130	526	2,037	64,585	53,369	8,838	733	367	1,278	53,748	44,874	6,522	2,352
*Assumption	19,349	13,840	4,995	58	186	270	14,591	10,763	3,476	43	123	186	12,134	8,966	3,073	95
*Iberville	7,954	6,135	1,668	29	54	68	6,194	4,832	1,242	20	44	56	5,573	4,310	1,191	72
*Pointe Coupee	9,394	6,922	2,302	32	37	101	7,144	5,386	1,655	19	32	52	6,185	4,709	1,404	72
*West Baton Rouge	8,055	6,231	1,712	35	38	39	5,986	4,689	1,225	22	28	22	5,134	4,104	972	58
Election Section1	135,290	106,717	23,933	1,284	841	2,515	98,500	79,039	16,436	837	594	1,594	82,774	66,963	13,162	2,649
	100.000%	78.880%	17.690%	0.949%	0.622%	1.859%	100.000%	80.243%	16.686%	0.850%	0.603%	1.618%	84.035%	80.899%	15.901%	3.200%
Election Section2																
Lafourche	96,318	76,445	13,363	855	3,457	2,198	72,652	59,362	8,945	612	2,187	1,546	53,711	45,827	6,316	1,568
St. Mary	54,650	32,406	18,290	1,058	1,269	1,627	40,746	25,191	12,797	773	837	1,148	31,845	20,072	10,527	1,246
Terrebonne	111,860	78,591	22,072	1,333	7,375	2,489	82,737	60,621	14,647	986	4,725	1,758	59,299	45,337	10,268	3,694
Election Section2	262,828	187,442	53,725	3,246	12,101	6,314	196,135	145,174	36,389	2,371	7,749	4,452	144,855	111,236	27,111	6,508
	100.000%	71.317%	20.441%	1.235%	4.604%	2.402%	100.000%	74.017%	18.553%	1.209%	3.951%	2.270%	73.855%	76.791%	18.716%	4.493%
Election Section3																
*Ascension	16,677	4,983	11,210	104	60	320	11,875	3,968	7,573	83	45	206	10,356	3,358	6,734	264
*Assumption	4,072	1,795	2,255	10	4	8	3,074	1,433	1,623	8	2	8	2,654	1,127	1,513	14
*Iberville	25,433	10,145	14,952	95	63	178	19,691	8,422	11,016	65	54	134	14,879	6,104	8,563	212
*Pointe Coupee	13,408	7,088	6,125	37	34	124	10,183	5,687	4,365	25	25	81	9,279	4,875	4,292	112
*West Baton Rouge	15,733	8,040	7,420	79	47	147	11,875	6,378	5,292	70	39	96	9,662	5,140	4,436	86
Election Section3	75,323	32,051	41,962	325	208	777	56,698	25,888	29,869	251	165	525	46,830	20,604	25,538	688
	100.000%	42.551%	55.709%	0.431%	0.276%	1.032%	100.000%	45.659%	52.681%	0.443%	0.291%	0.926%	82.596%	43.997%	54.533%	1.469%

1st Circuit - 1st District - Proposal



1st Circuit - 1st District - Proposal



Total Population

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	Total Hispanic	Reg Total Jan 2011
Election Section1	82,382	37,378	43,529	402	415	658	1,561	49,065
	100.000%	45.372%	52.838%	0.488%	0.504%	0.799%	1.895%	77.565%
Election Section2	494,744	411,217	66,707	5,536	4,195	7,089	18,915	289,040
	100.000%	83.117%	13.483%	1.119%	0.848%	1.433%	3.823%	78.876%
Grand Total	577,126	448,595	110,236	5,938	4,610	7,747	20,476	338,105
	100.000%	77.729%	19.101%	1.029%	0.799%	1.342%	3.548%	78.683%

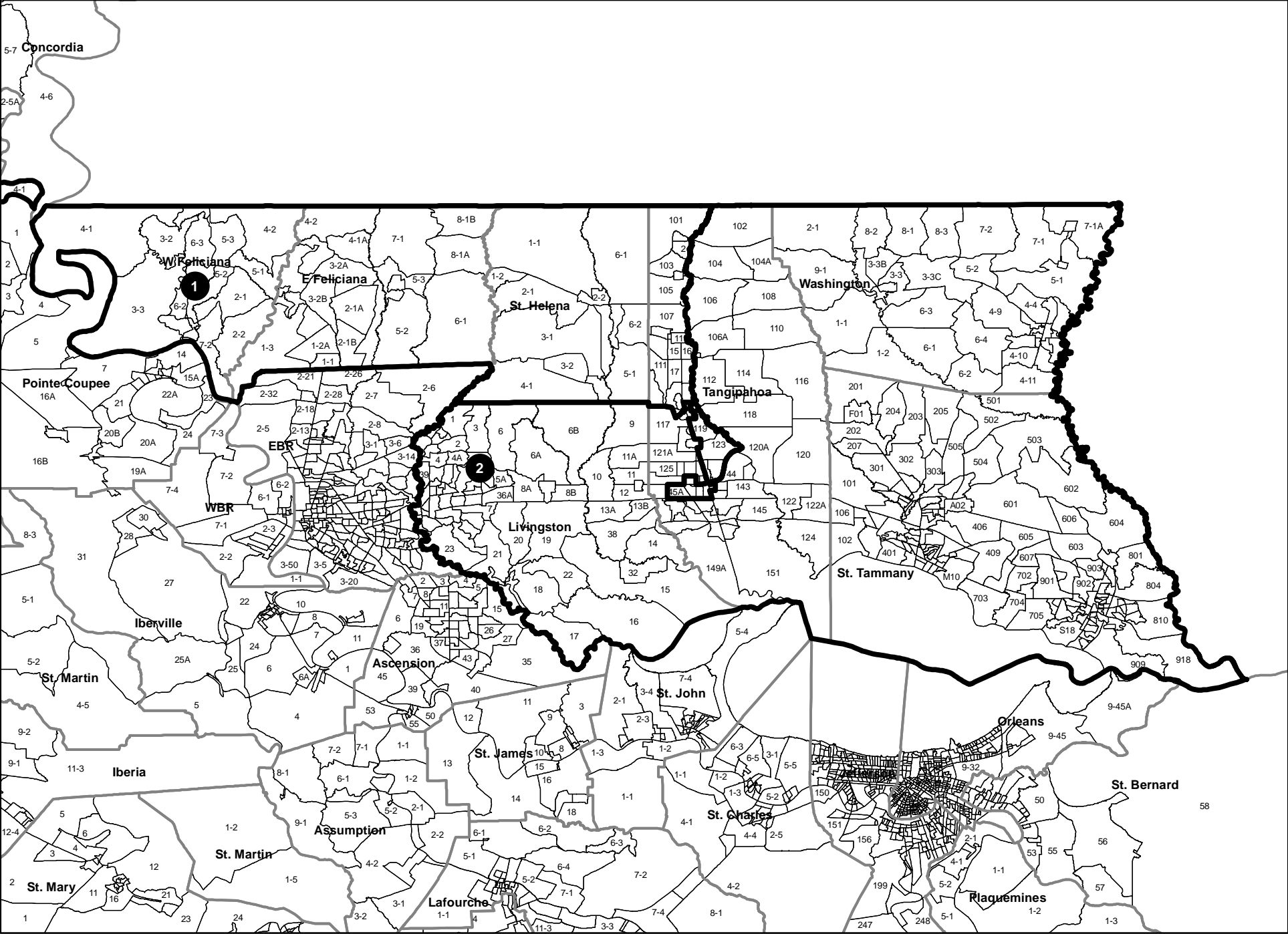
Voter Registration

	Reg Total Jan 2011	Reg White Jan 2011	Reg Black Jan 2011	Reg Other Jan 2011	Reg Dem Total Jan 2011	Reg Rep Total Jan 2011	Reg Other Total Jan 2011
Election Section1	49,065	24,368	23,226	1,471	30,095	9,407	9,563
	77.565%	49.665%	47.337%	2.998%	61.337%	19.173%	19.490%
Election Section2	289,040	246,436	30,379	12,225	103,711	111,752	73,577
	78.876%	85.260%	10.510%	4.230%	35.881%	38.663%	25.456%
Grand Total	338,105	270,804	53,605	13,696	133,806	121,159	83,140

Splits

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Jan 2011	Reg White Jan 2011	Reg Black Jan 2011	Reg Other Jan 2011
Election Section1																
East Feliciana	20,267	10,783	9,250	67	127	40	16,075	8,775	7,123	58	94	25	13,411	7,629	5,126	656
St. Helena	11,203	5,034	6,014	16	72	67	8,440	4,036	4,291	11	60	42	8,432	3,816	4,517	99
*Tangipahoa	35,287	13,436	20,948	277	181	445	25,835	11,091	14,085	220	135	304	20,426	8,475	11,329	622
West Feliciana	15,625	8,125	7,317	42	35	106	12,907	6,412	6,364	24	33	74	6,796	4,448	2,254	94
Election Section1	82,382	37,378	43,529	402	415	658	63,257	30,314	31,863	313	322	445	49,065	24,368	23,226	1,471
	100.000%	45.372%	52.838%	0.488%	0.504%	0.799%	100.000%	47.922%	50.371%	0.495%	0.509%	0.703%	77.565%	49.665%	47.337%	2.998%
Election Section2																
Livingston	128,026	117,601	6,941	906	1,055	1,523	92,696	85,855	4,535	565	782	959	71,580	66,508	2,985	2,087
St. Tammany	233,740	195,364	28,449	3,807	2,182	3,938	173,604	147,964	18,752	2,570	1,579	2,739	143,614	121,851	13,495	8,268
*Tangipahoa	85,810	66,770	16,433	678	653	1,276	64,842	52,040	10,974	490	496	842	48,238	40,104	6,660	1,474
Washington	47,168	31,482	14,884	145	305	352	35,305	24,363	10,374	101	238	229	25,608	17,973	7,239	396
Election Section2	494,744	411,217	66,707	5,536	4,195	7,089	366,447	310,222	44,635	3,726	3,095	4,769	289,040	246,436	30,379	12,225
	100.000%	83.117%	13.483%	1.119%	0.848%	1.433%	100.000%	84.657%	12.180%	1.017%	0.845%	1.301%	78.876%	85.260%	10.510%	4.230%

1st Circuit - 3rd District - Proposal



1st Circuit - 3rd District - Proposal

