2024 Regular Session

HOUSE BILL NO. 563

BY REPRESENTATIVE CARPENTER

HOUSING/AUTHORITIES: Provides relative to the civil service status of employees of housing authorities

1	AN ACT		
2	To amend and reenact R.S. 40:539(C)(8)(a), relative to employees of housing authorities;		
3	to provide relative to civil service status of a housing authority; to provide with		
4	respect to the authorization to elect to not be in the state civil service; to provide		
5	relative to process and procedure; and to provide for related matters.		
6	Be it enacted by the Legislature of Louisiana:		
7	Section 1. R.S. $40:539(C)(8)(a)$ is hereby amended and reenacted to read as follows:		
8	§539. Selection of chairman and vice chairman; executive director; hiring of		
9	employees		
10	* * *		
11	С.		
12	* * *		
13	(8)(a)(i) Except as provided in the Constitution of Louisiana and Item (ii) of		
14	this Subparagraph and as may otherwise be authorized by the State Civil Service		
15	Commission, all employees of the authority, except authority members, the executive		
16	director, and one other employee whom the authority shall designate and employ,		
17	and except professional employees employed on a contract basis, shall be in the		
18	classified state civil service.		
19	(ii) Notwithstanding any provision law to the contrary, a housing authority		
20	may, upon determining that it should not be considered to be an instrumentality of		

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

1	the state for purposes of Article X, Section 1(A) of the Constitution of Louisiana and		
2	therefore that the employees of such authority shall not be included in the state civil		
3	service, adopt a resolution to that effect and transmit a certified copy of th		
4	resolution by certified mail to the director of the Department of State Civil Service		
5	The resolution shall be given effect upon the director's receipt.		
6	* * *		
7	Section 2. This Act shall become effective upon signature by the governor or, if not		
8	signed by the governor, upon expiration of the time for bills to become law without signature		
9	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If		
10	vetoed by the governor and subsequently approved by the legislature, this Act shall become		
11	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)]

HB 563 Reengrossed	2024 Regular Session	Carpenter
		r

Abstract: Authorizes housing authorities to adopt a resolution to provide that its employees shall not be included in the state civil service.

<u>Present constitution</u> (Art. X, §1(A)) provides that state civil service includes all persons holding offices and positions of trust or employment in the employ of the state, or any instrumentality thereof, or any joint state-federal, state-parochial, or state-municipal agency. Excludes members of the state police service and persons holding offices and positions of any municipal board of health or local governmental subdivision.

Proposed law retains present constitution.

<u>Present law</u> (R.S. 40:539(C)(8)) provides that all employees of housing authorities shall be in the classified state civil service, except as provided in the constitution or as may be authorized by the State Civil Service Commission. <u>Present law</u> also excepts from this requirement: authority members, the executive director, one other employee whom the authority designates, and professional employees employed on a contract basis.

<u>Present law</u> provides that the housing authorities in New Orleans, Cottonport, Denham Springs, Oil City, Lafayette, Monroe, Shreveport, Kenner, Simmsport, Bunkie, Colfax, Kinder, Berwick, and Morgan City, and the East Baton Rouge Parish Housing Authority shall not be considered instrumentalities of the state for purposes of Const. Art. X, §1(A) and that employees of the authorities shall not be included in the state civil service.

<u>Proposed law</u> retains <u>present law</u> but authorizes a housing authority, upon determining that it should not be considered to be an instrumentality of the state for purposes of Art. X, 1(A) and that the employees of such authority shall not be included in the state civil service, to adopt a resolution to that effect and to transmit a certified copy of the resolution by certified

Page 2 of 3

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

mail to the director of the Dept. of State Civil Service. Requires that the resolution be given effect upon the director's receipt.

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

(Amends R.S. 40:539(C)(8)(a))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Municipal, Parochial</u> <u>and Cultural Affairs</u> to the <u>original</u> bill:

1. Add authority for housing authorities to continue to have their employees included in state civil service.

The House Floor Amendments to the engrossed bill:

- 1. Remove <u>proposed law</u> providing that employees of a housing authority shall not be included in state civil service.
- 2. Remove <u>proposed law</u> providing that a housing authority that wants to continue to have its employees included in state civil service to submit a resolution to the Dept. of State Civil Service by a certain date.
- 3. Add <u>proposed law</u> authorizing a housing authority that does not want to have its employees included in state civil service to submit a resolution to the director of the Dept. of State Civil Service.
- 4. Add a special effective date.