

Regular Session, 2010

HOUSE BILL NO. 723

BY REPRESENTATIVES CONNICK AND HINES

1 AN ACT

2 To amend and reenact R.S. 42:65(A) and (C), relative to dual officeholding and dual
3 employment; to provide relative to remedies and penalties related thereto; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 42:65(A) and (C) are hereby amended and reenacted to read as
7 follows:

8 §65. Civil remedy; penalty

9 A.(1)(a) The attorney general, a district attorney, or any citizen of the state
10 of Louisiana may by summary process petition for a declaratory judgment against
11 a person alleged to be holding or to have held incompatible offices or employments
12 or holding or have held a combination of offices or employments prohibited in this
13 Part. Venue for the suit for a declaratory judgment shall be at the domicile of the
14 defendant who is or was employed or at the official domicile of any office held by
15 the defendant.

16 (b) Prior to filing a petition pursuant to Subparagraph (a) of this Paragraph,
17 the attorney general or district attorney shall send written notice by certified mail to
18 the person detailing the alleged violation of this Part.

19 (2) Whether a person has vacated an incompatible or prohibited office or
20 employment prior to the filing of the suit for declaratory judgment or prior to

1 for such employments or offices, and shall thereafter furnish any other information
2 the attorney general deems necessary for the issuance of the opinion.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____