2016 Regular Session

SENATE BILL NO. 65

BY SENATOR LUNEAU

MUNICIPALITIES. Provides for a mayor's court in the village of Creola. (gov sig)

1   AN ACT

2   To enact R.S. 33:455, relative to mayor's courts; to establish the Mayor's Court of the village

3   of Creola; to provide for the territorial jurisdiction of the court; to provide for the

4   powers and authority of the mayor as magistrate of the court and other officers of the

5   court; to provide relative to subject matter jurisdiction of the court; and to provide

6   for related matters.

7   Be it enacted by the Legislature of Louisiana:

8   Section 1. R.S. 33:455 is hereby enacted to read as follows:

9   **§455. Mayor's court, village of Creola; establishment; jurisdiction**

10   **A. There is hereby created the Mayor's Court of the village of Creola, the**

11   **territorial jurisdiction of which shall extend throughout the village in Grant**

12   **Parish.**

13   **B. The general provisions of R.S. 33:441 and 442 shall be applicable to**

14   **and shall govern and regulate the Mayor's Court of the village of Creola, the**

15   **jurisdiction of the court, and the power and authority of the mayor and other**

16   **officers of the court.**

17   Section 2. This Act shall become effective upon signature by the governor or, if not

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words in **boldface type and underscored** are additions.

1   signed by the governor, upon expiration of the time for bills to become law without signature

2   by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

3   vetoed by the governor and subsequently approved by the legislature, this Act shall become

4   effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Michael Bell.

DIGEST
SB 65 Engrossed   2016 Regular Session   Luneau

Proposed law creates a mayor's court of the village of Creola and provides that the territorial jurisdiction of the court shall extend throughout the village of Creola in Grant Parish.

Present law provides for mayor's court in certain Lawrason Act municipalities with jurisdiction over violations of municipal ordinances. Provides that the mayor may try all breaches of the ordinances and impose fines or imprisonment, or both, provided for the infraction thereof. Authorizes the mayor may impose court costs not to exceed $30 for each offense, as defined by ordinance, on any defendant convicted of a violation of a municipal ordinance. Authorizes the mayor to suspend the execution in whole or in part of a fine or imprisonment, or both, imposed for violation of a municipal ordinance and place the defendant on unsupervised or supervised probation with such conditions as the mayor may fix and, at any time during the probation, modify, add, or discharge.

Present law authorizes the board of aldermen, upon request of the mayor, to appoint one or more attorneys as court magistrate who serves at the pleasure of the mayor. Also authorizes the board, upon request of the mayor, to appoint one or more attorneys as prosecutor who shall serve at the pleasure of the mayor.

Present law provides the mayor with the power of a committing magistrate. Provides that the presiding officer of a mayor's court is entitled to judicial immunity for his official acts as presiding officer in the same capacity as a judge in this state.

Present law requires that the mayor keep a regular docket and a perfect record of all cases tried. Provides that he may hold his court at any time. Requires that the marshal attend the court and serve its process and act as its executive officer.

Proposed law provides that present law shall be applicable to and govern and regulate the mayor's court of the village of Creola, the jurisdiction of the court, and the power and authority of the mayor and other officers of the court.

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

(Adds R.S. 33:455)

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