SENATE BILL NO. 86

BY SENATOR PERRY

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

2 To amend and reenact R.S. 16:2(B) and R.S. 42:261(F), relative to legal representation of 3 parishes; to authorize certain parishes to employ their own attorneys; and to provide for related matters. 4 5 Be it enacted by the Legislature of Louisiana: Section 1. R.S. 16:2(B) is hereby amended and reenacted to read as follows: 6 7 §2. Duty of district attorney to act as counsel for parish boards and commissions 8 9 B. Notwithstanding any other provision of this Section or any law to the 10 contrary, nothing shall prevent the governing authorities of the parishes of St. 11 Charles, St. John the Baptist, Ouachita, Morehouse, Calcasieu, and Vermilion, or the 12 governing authority of any parish having a population of not less than sixty 13 thousand nor more than seventy thousand persons or not less than six thousand 14 nor more than seven thousand persons, based upon the most recent federal

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decennial census, or any city or parish school board in the state from each employing or retaining its own attorney to represent it generally. The employment of attorneys by said the governing authorities shall relieve the district attorneys of the judicial districts serving the parishes of St. Charles, St. John the Baptist, Ouachita, Morehouse, Calcasieu, and Vermilion, or any parish having a population of not less than sixty thousand nor more than seventy thousand persons or not less than six thousand nor more than seven thousand persons, based upon the most recent federal decennial census, from any further duty of representing said the governing authorities, and the employment of an attorney by any city or parish school board shall relieve the district attorney of the judicial district serving such city or parish school board from any further duty of representing such school board.

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Section 2. R.S. 42:261(F) is hereby amended and reenacted to read as follows:

§261. District attorneys; counsel for boards and commissions

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F. Notwithstanding any other provision of this Section or any other law to the contrary, nothing shall prohibit the governing authorities of the parishes of St. Charles, Ouachita, Morehouse, Calcasieu, and Vermilion, or the governing authority of any parish having a population of not less than sixty thousand nor more than seventy thousand persons or not less than six thousand nor more than seven thousand persons, based upon the most recent federal decennial census, from each employing or retaining its own attorney to represent it generally; however, except in those specific instances where expressly allowed by law, no payment to such attorney so employed or retained shall be made on a contingent fee or other percentage basis. The employment of attorneys by said the political subdivisions of the aforementioned parishes shall relieve the district attorneys of the judicial districts serving the aforesaid parishes from any other duty of representing said the political subdivisions of said the parishes.

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Section 3. This Act shall become effective upon signature by the governor or, if not 2 signed by the governor, upon expiration of the time for bills to become law without signature 3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If 4 vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval. 5 PRESIDENT OF THE SENATE SPEAKER OF THE HOUSE OF REPRESENTATIVES GOVERNOR OF THE STATE OF LOUISIANA

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APPROVED:

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