

Regular Session, 2012

HOUSE BILL NO. 1197 (Substitute for House Bill No. 893 by Representative Fannin)

BY REPRESENTATIVE FANNIN

1 AN ACT

2 To amend and reenact R.S. 18:602(C) and to enact R.S. 18:602(E)(1)(c), relative to
3 vacancies in the office of sheriff; to provide for the filling of such vacancies under
4 certain circumstances; to provide relative to the eligibility of the person filling such
5 a vacancy to seek the office; to provide for retroactive application; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:602(C) is hereby amended and reenacted and R.S. 18:602(E)(1)(c)
9 is hereby enacted to read as follows:

10 §602. Vacancies in certain local and municipal offices; exceptions

11 * * *

12 C.(1) When a vacancy occurs in any of the following offices, the duties of
13 the office shall be assumed by the person hereinafter designated: ~~(1)~~ (a) district
14 attorney, by the first assistant; ~~(2)~~ (b) clerk of a district court, by the chief deputy;
15 ~~(3)~~ (c) coroner, by the chief deputy; ~~(4)~~ (d) sheriff, by the chief criminal deputy,
16 except that in a parish that has both a civil sheriff and a criminal sheriff, the civil
17 sheriff by the chief civil deputy, and the criminal sheriff, by the chief criminal
18 deputy, respectively; and ~~(5)~~ (e) tax assessor, by the chief deputy assessor.

19 (2)(a) If there is no such person to assume the duties when the vacancy
20 occurs, the governing authority or authorities of the parish or parishes affected shall,
21 within ten days, appoint a person having the qualifications of the office to assume
22 the duties of the office. However, if the deadline for making the appointment falls
23 on a Saturday, Sunday, or other legal holiday, then the next day which is not a
24 Saturday, Sunday, or legal holiday shall be deemed to be the final day for making
25 such appointment.

