ACT No. 110


AN ACT

To amend and re-enact Section 1876 of Title 13 of the Louisiana Revised Statutes of 1950, relative to cases of absence, incapacity, or recusation of the city judge.

Be it enacted by the Legislature of Louisiana:

Section 1. Section 1876 of Title 13 of the Louisiana Revised Statutes of 1950 is hereby amended and re-enacted to read as follows:

§1876. Vacancy in office of city judge; appointment of acting judge; recusation, temporary absence or inability of judge; compensation of judge ad hoc.

A. In cases of vacancy in the office of city judge due to death, resignation or other cause, the governor shall appoint an attorney at law domiciled within the territorial jurisdiction of the court, and having the qualifications for election to the office, to act as judge until:

(1) expiration of the unexpired term, if one year or less; or

(2) a successor is elected and qualified by special election, if the unexpired term exceeds one year. The special election herein provided for shall be called by the governor within ten days from the date notice of the vacancy is received from the clerk of the city court in which the vacancy has occurred. The clerk of the city court in which a vacancy has occurred, within three days after its occurrence, shall give notice thereof to the governor, by certified mail, return receipt requested.

B. In cases of temporary absence, incapacity or recusation of the city judge, a judge ad hoc shall be appointed under the applicable provisions of Articles 4841-4847 of the Louisiana Code of Civil Procedure. When no appointment has been so made, whether due to inability or disability of the city judge, the governor shall make a temporary appointment of an attorney at law domiciled in the city, and having the qualifications for election to the office, for the duration of the absence or incapacity, or until the office becomes vacant, whichever time is shorter.

The compensation of the judge ad hoc so appointed, which shall be proportionately equal to that of the city judge, shall be payable in the same manner and from the same sources as the compensation of the city judge and,
Act 111

except in cases of illness or of recusation, shall be deducted from the compensation of the city judge.

Section 2. All laws or parts of laws in conflict herewith are hereby repealed.

Approved by the Governor: June 15, 1963.

A true copy:

WADE O. MARTIN, JR.
Secretary of State.

ACT No. 111

Senate Bill No. 32.

By: Mr. Frugé.

AN ACT

To provide, in the event of attack upon the United States, for the continuity of the executive functions of the government of the state by providing for emergency interim succession to state executive offices, except that of Governor.

Be it enacted by the Legislature of Louisiana:

Section 1. Short title

This Act shall be known and may be cited as the “Emergency Interim State Executive Succession Act.”

Section 2. Statement of policy

Because of the possibility of attack of unprecedented size and destructiveness upon the United States, to assure continuity of government through legally constituted leadership, authority and responsibility in offices of the government of the state, in the event of such an attack, to provide for the effective operation of government during an emergency and to facilitate the early resumption of functions temporarily suspended, it is found and declared to be necessary to provide for emergency interim succession to state governmental offices, except that of Governor, in the event that the incumbents thereof and their duities,* assistants or other subordinate officers authorized, pursuant to law, to exercise all of the powers and discharge the duties of such offices, hereinafter referred to as deputies, are unavailable to perform the duties* and functions of such offices.

Section 3. Definitions

Unless otherwise clearly required by the context, as used in this Act:

*As it appears in the enrolled bill.