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ATTORNEY GENERAL

State of Louisiana

DEPARTMENT OF JUSTICE

Baton Rouge

70804-9005

NOV 21 2002

OPINION 02-0430

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Chief Sylvester Lavigne
Iberville Parish Sheriff's Office
P. O. Drawer 231
Plaquemine, LA 70764

78 DUAL OFFICEHOLDING

R.S. 42:63(D)

Elected police juror may not hold position with the sheriff's office as deputy sheriff.

Dear Chief Lavigne:

You have asked this office to determine whether or not a deputy sheriff may also serve as an elected police juror in Iberville Parish. We refer you to the provisions of R.S. 42:63(D) which state:

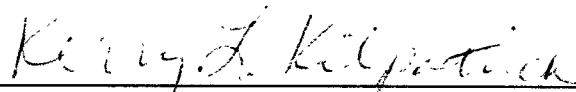
D. No person holding an elective office in a political subdivision of this state shall at the same time hold another elective office or full-time appointive office in the government of this state or in the government of a political subdivision thereof. No such person shall hold at the same time employment in the government of this state, or in the same political subdivision in which he holds an elective office. In addition no sheriff, assessor, or clerk of court shall hold any office or employment under a parish governing authority or school board, nor shall any member of any parish governing authority or school board hold any office or employment with any sheriff, assessor, or clerk of court. (Emphasis added).

The language of this statute clearly prohibits an elected official of the parish governing authority such as the police jury from holding any position with the sheriff's office. If you have other questions in which we may provide assistance, please contact this office.

Very truly yours,

RICHARD P. IEYOUB
ATTORNEY GENERAL

BY:


KERRY L. KILPATRICK
ASSISTANT ATTORNEY GENERAL

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