

April 20, 2006
OPINION 06-0042

Mr. James E. Lewis
Felony Prosecutor
Winn Parish District Attorney's Office
P. O. Box 1374
Winnfield, LA 71483

78 Officers – Dual Officeholding
R.S. 42:63(D)
Although police juror may run for the office of elected
chief of police, he may not hold both offices
concurrently.

Dear Mr. Lewis:

You have advised this office that a current member of the Winn Parish Police Jury intends to run for the elected office of Chief of Police for the City of Winnfield. You ask (1) if he need resign from office as police juror while running for the second office, and (2) if elected, if he may hold both positions.

There is no prohibition in the law which would prevent him from running for another office. However, the language of R.S. 42:63(C) of the Dual Officeholding and Dual Employment Laws prohibits one from holding two elective offices simultaneously. R.S. 42:63(D) states, in pertinent part:

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....(Emphasis added).

Thus, if he is elected to the office of chief of police, the law compels him to resign the office of police juror.

Very truly yours,

CHARLES C. FOTI, JR.
ATTORNEY GENERAL

BY:

KERRY L. KILPATRICK
ASSISTANT ATTORNEY GENERAL

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Date Received:
Date Released: April 20, 2006

KERRY L. KILPATRICK
ASSISTANT ATTORNEY GENERAL