

August 2, 2006  
OPINION 06-0201

Ms. Debbie A. Collins  
13315 Third Street  
Batchelor, LA 70715

78 DUAL OFFICEHOLDING  
R.S. 42:63D  
School board member may not hold office or employment with the clerk of court.

Dear Ms. Collins:

You advise this office that you currently hold full-time employment with the Pointe Coupee Parish Clerk of Court's office. You ask if you may legally hold the elective office of member of the Pointe Coupee Parish School Board in District A. Unfortunately, state law prohibits you from holding both positions concurrently.

R.S. 42:63D of our state's Dual Officeholding and Dual Employment law provides:

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).

Thus, one holding an office or employment with the clerk of court may not hold the office of school board member. Attached is a copy of Attorney General Opinion 87-170, in which the author issues the same conclusion.

Very truly yours,

CHARLES C. FOTI, JR.  
ATTORNEY GENERAL

BY:

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KERRY L. KILPATRICK  
ASSISTANT ATTORNEY GENERAL

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Date Received:

Date Released: August 2, 2006

KERRY L. KILPATRICK  
ASSISTANT ATTORNEY GENERAL