



JAMES D. "BUDDY" CALDWELL  
ATTORNEY GENERAL

*State of Louisiana*  
DEPARTMENT OF JUSTICE  
P.O. BOX 94005  
BATON ROUGE  
70804-9005

November 20, 2013  
**OPINION 13-0175**

71-1 MUNICIPALITIES- Special Charters

Thomas Enright, Jr.  
Executive Counsel  
Office of the Governor  
Post Office Box 94004  
Baton Rouge, LA 70804-9004

La. R.S. 33 :1181

The amendment to the City of Mansfield's Legislative Charter is consistent with the constitution and laws of the United States and Louisiana.

Dear Mr. Enright:

We received your request for review of the amendment to the Legislative Charter of the City of Mansfield in accordance with La. R.S. 33:1181. The City of Mansfield is governed by a special legislative charter. The town of Mansfield was incorporated by Act 128 of 1847 and reestablished by Act 186 of 1902. By Article VI, Section 4 of the 1974 Constitution, the special charter of the city of Mansfield was carried forward and remained in force and effect.

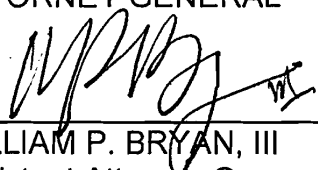
In order to amend its Legislative Charter, the City of Mansfield must meet the requirements set forth in La. R.S. 33:1181, which provides in pertinent part:

When a municipality existing prior to July 29, 1898, and having a population of two hundred thousand or less, which has not come under the provisions of Part I of Chapter 2 of this Title, desires to amend its charter, the same may be done in this way: The municipal governing body may prepare, in writing, the desired amendments, have the same published for three weeks in a newspaper published in the municipality ... the proposed amendments shall then be submitted to the governor, who shall submit them to the Attorney General for his opinion. If the Attorney General is of the opinion that the proposed amendments are consistent with the constitution and laws of the United States and of this state, including Part I of Chapter 2 of this Title, the Governor shall approve the proposed amendments. If, within thirty days after publication, one-tenth of the electors of the municipality protest against any proposed amendment, the Governor shall not approve the amendment protested against until it is submitted to and ratified by a majority of the electors of the municipality at an election held within sixty days after the protest has been made.

The proposed amendment to the City of Mansfield's Legislative Charter was published in the Mansfield Enterprise for a period of three weeks, as required by La. R.S. 33:1181.<sup>1</sup> After the three week period of publication, the amendment to the legislative charter was adopted by ordinance of the Board of Aldermen of the City of Mansfield on July 10, 2013.<sup>2</sup> Our office has reviewed the amended and restated Legislative Charter of the City of Mansfield in accordance with La. R.S. 33:1181, and finds the amendment to be consistent with the constitution and laws of the United States and Louisiana.

With best regards,

JAMES D. "BUDDY" CALDWELL  
ATTORNEY GENERAL

BY: 

WILLIAM P. BRYAN, III  
Assistant Attorney General

JDC:WPB, III:jv

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<sup>1</sup> An affidavit of Publication averring that the proposed amendment was published for three weeks in June 2013 accompanied this request.

<sup>2</sup> We received no facts indicating that one-tenth of the electors protested the amendments.