



Jeff Landry
Attorney General

State of Louisiana

DEPARTMENT OF JUSTICE
CIVIL DIVISION
P.O. BOX 94005
BATON ROUGE
70804-9005

December 5, 2023
OPINION 23-0091

Honorable Christopher Guidry
Mayor of the Town of Sorrento
P.O. Box 65
Sorrento, LA 70778

174 - ZONING

La. R.S. 33:103

The Town of Sorrento may not pay a per diem to the members of the Sorrento Planning Commission.

Dear Mr. Guidry,

Your request for an Attorney General's Opinion on behalf of the Town of Sorrento¹ has been assigned to me for research and reply. In your request, you seek this office's opinion as to whether the Town of Sorrento may pay the members of a municipal planning commission a per diem for meeting attendance.

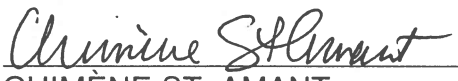
Pursuant to La. R.S. 33:102, the Town of Sorrento by ordinance created a municipal planning commission consisting of five members appointed by the town council.² Where a municipal planning commission exists, it also functions as the zoning commission.³

In accordance with La. R.S. 33:103(C)(1), "[a]ll members of a commission, whether a parish or a municipal planning commission, shall serve without compensation ... and shall hold no other public office" Although the statute does provide for certain exceptions, the Town of Sorrento does not fall within any of those exceptions.⁴ It is therefore the conclusion of this office that the members of the planning commission of the Town of Sorrento may not receive a per diem for meeting attendance.

We trust that this opinion has adequately addressed the legal issues you have raised. If our office can be of any further assistance, please do not hesitate to contact us.

With best regards,

JEFF LANDRY
ATTORNEY GENERAL

BY: 
CHIMÈNE ST. AMANT
ASSISTANT ATTORNEY GENERAL

JL:CS

¹ The Town of Sorrento is a Lawrason Act municipality. La. R.S. 33:321, *et seq.*

² Sorrento Code of Ordinances, Chapter 2, Article 2, Section 2-107(a).

³ La. R.S. 33:4723, *See also*, Sorrento Code of Ordinances, Chapter 2, Article 2, Section 2-108.

⁴ *See* Atty. Gen. Op. Nos. 83-270 and 83-785.