



LIZ MURRILL
ATTORNEY GENERAL

STATE OF LOUISIANA
DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
P.O. BOX 94005
BATON ROUGE, LA
70804-9005

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OPINION 25-0043

84 PARISHES

La. Const. art. VI, § 5

Louisiana law does not prohibit the appointment of non-council members to standing committees of the Livingston Parish Council. The committees established by the Council are advisory in nature and their recommendations are not binding on the Council.

Mr. Christopher M. Moody
Attorney at Law
1250 S.W. Railroad Ave., Ste. 170
Hammond, Louisiana 70403

Dear Mr. Moody:

We received your request seeking an opinion regarding whether “lay citizens”¹ (non-council members) may sit on certain standing committees of the Livingston Parish Council.

Question: May non-council members serve on standing committees of the Livingston Parish Council, such as the Ordinance Committee?

Conclusion: It is the opinion of this office that Louisiana law does not prohibit non-council members from serving on standing committees of the Livingston Parish Council. The committees established by the Council are advisory in nature and their recommendations are not binding on the Council.

Livingston Parish operates under a home rule charter (Charter), as authorized by La. Const. art. VI, § 5, and has adopted a President-Council form of government. Livingston Parish Charter, §§ 1-01, 1-02. The legislative power of the parish government shall be vested in a Council consisting of nine members elected from single-member districts for four year terms. Livingston Parish Charter, § 2-01.

The Charter does not establish any specific rules for committees established by the Council, except to require that all meetings of the Council and its committees be open to the public in accordance with general state law. Livingston Parish Charter, § 2-07(D). Thus, we find no prohibition in the Charter, or elsewhere in the law, to the appointment² of non-council members to the Council’s committees. Furthermore, we note that the Charter provides that all ordinances and resolutions shall be passed by the favorable vote of at least a majority of the authorized membership of the Council. Livingston Parish

¹ “Lay Citizens” is not a term recognized in any statutory or local government authority. We treat the request as asking about non-council members.

² Four purposes of this request, we assume the appointments are made by the Council.

Charter, § 2-11(D). The authorized membership clearly would not include non-council members of committees. In addition, these committees, with or without non-council members, are advisory in nature only, and their recommendations would not be binding upon the Council itself, which still retains the authority to vote to accept, modify, or reject the recommendations of its committees. See La. Atty. Gen. Op. 88-0398.

Considering the foregoing, it is the opinion of this office that that Louisiana law does not prohibit the appointment of non-council members to standing committees of the Livingston Parish Council.

We hope 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,

LIZ MURRILL
ATTORNEY GENERAL

BY: *Chimène St. Amant*
Chimène St. Amant
Assistant Attorney General

LM: CS