

OPINION NUMBER 00-09A
March 22, 2000

Mr. David Pittman
P.O. Box 39
Folsom, LA 70437

78 - Dual Officeholding
There is no prohibition in holding elective office in a political subdivision of this state and at the same time holding an appointive office in another political subdivision that is part time.

Dear Mr. Pittman:

This office is in receipt of your request for review for Atty. Gen. Op. No. 00-09 in light of the change of your work hours. You indicate you have been informed by the Board of Commissioners of Fire Protection District No. 5 that you are now to work no more than 30 hours a week and only on as an as needed basis. You ask that this office review the changes in light of the original request for an opinion, and issue a new opinion regarding the changed situation.

In Atty. Gen. Op. No. 00-09 it was concluded that you could not hold the full-time appointed position of Fire Chief for St. Tammany Parish Fire District No. 5 and the elected position as Alderman for the Village of Folsom. It was observed that when you work as Fire Chief at least seven hours per day and at least thirty-five hours per week that is defined in the dual officeholding law as "fulltime". Under the dual officeholding law a person holding an elective office in a political subdivision of this state shall not at the same time hold a full-time appointive office in a political subdivision of the state.

This office finds no prohibition in you holding elective office in a political subdivision and at the same time holding an appointive office in a political subdivision of this state that is part time if such office is properly provided for by the St. Tammany Fire District No. 5.

We hope this clarifies the earlier opinion, but if we can be of further assistance, do not hesitate to contact us.

Sincerely yours

RICHARD P. IEYOUNG
ATTORNEY GENERAL

By:

BARBARA R. RUTLEDGE
Assistant Attorney General

RPI/bbr

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Date Received: Feb. 23, 2000
Date Released: March 22, 2000

BARBARA B. RUTLEDGE
Assistant Attorney General