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ATTORNEY GENERAL

STATE OF LOUISIANA
DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
P.O. BOX 94005
BATON ROUGE, LA
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April 16, 2026
OPINION 25-0138

78 – DUAL OFFICEHOLDING

Councilwoman Denise Epps-Hoof
P.O. Box 142
Cullen, LA 71021

Ms. Fannie M. Rankin
302 Nelson St.
Cullen, LA 71021

La. R.S. 42:61, *et seq.*

The Dual Officeholding and Employment provisions do not prohibit the Chief of Police for the Town of Cullen from simultaneously serving as a police officer in the City of Springhill and resource officer for Brown Upper School.

Dear Ms. Epps-Hoof and Ms. Rankin:

Our office received your request for an opinion regarding whether the Chief of Police for the Town of Cullen can work as a police officer in the City of Springhill and resource officer for Brown Upper School in the City of Springhill. Within your request, you advise that the City of Springhill pays the Resource Officer's salary, but that the Webster Parish School Board has an agreement with the City to reimburse the payment through contract.

Question: Whether the Chief of Police for the Town of Cullen can serve as a police officer in the City of Springhill, which also serves as patrol officer and school resource officer for Brown Upper School?

Conclusion: Yes. The Dual Officeholding and Employment provisions do not prohibit the Chief of Police for the Town of Cullen from simultaneously serving as a police officer in the City of Springhill and resource officer for Brown Upper School.

The provisions of the Dual Officeholding and Dual Employment Law, found at La. R.S. 42:61, *et seq.*, generally govern questions concerning the ability to hold two or more public offices and/or positions simultaneously. Classifying the correct nature of the positions held is essential for the purposes of applying the Dual Officeholding and Dual Employment Law.

The Town of Cullen is governed by the Lawrason Act, La. R.S. 33:321, *et seq.* Pursuant to La. R.S. 33:381, the Chief of Police is elected at large. The Chief of Police

of the Town of Cullen is an "elective office" for purposes of the Dual Officeholding and Dual Employment Law.¹

The City of Springhill is also a Lawrason Act municipality. The Chief of Police of the City of Springhill is elected at large.² The Chief of Police of the City of Springhill is authorized to hire police personnel, which would include police officers, subject to the approval of the Mayor and the Board of Aldermen.³ According to the information provided to this office, the police officer works forty hours per week. Thus, the police officer position is classified as "full time" "employment" for the purposes of the Dual Officeholding and Dual Employment Law.⁴

Further, according to La. R.S. 17:416.19, any city may make or enter into agreements with a local law enforcement agency to provide for school resource officers. This officer continues to be employed by the City of Springhill as a patrol officer and acts as a school resource officer under the course and scope of his duties as an officer based on the city's agreement with the law enforcement agency; thus, serving as a school resource officer does not affect this classification.

The Dual Officeholding and Dual Employment Law, in La. R.S. 42:63(D), provides in pertinent part:

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.

The prohibition of La. R.S. 42:63(D) is inapplicable because the Town of Cullen and the City of Springhill are considered separate political subdivisions of the State.⁵ Based on the applicable provisions of law and the information you have provided, it is the opinion of this office that the Dual Officeholding and Employment provisions do not

¹ "Elective office" means any position which is established or authorized by the constitution or laws of this state or by the charter or ordinances of any political subdivision thereof, which is not a political party office, and which is filled by vote of the citizens of this state or of a political subdivision thereof. La. R.S. 42:62(1).

² La. R.S. 33:381(B).

³ La. R.S. 33:423(A).

⁴ "Full time" means the period of time which a person normally works or is expected to work in an appointive office or employment, and which is at least seven hours per day of work and at least thirty-five hours per week of work. La. R.S. 42:62(4). "Employment" means any job compensated on a salary or per diem basis, other than an elective or appointive office, in which a person is an employee of the state government or of a political subdivision thereof. La. R.S. 42:62(3).

⁵ "Political subdivision" means a parish, municipality, and any other unit of local government, including a school board and a special district, authorized by law to perform governmental functions. In addition, for the purposes of this Part, mayor's courts, justice of the peace courts, district attorneys, sheriffs, clerks of court, coroners, tax assessors, registrars of voters, and all other elected parochial officials shall be separate political subdivisions. La. R.S. 42:62(9).

prohibit the Chief of Police for the Town of Cullen from simultaneously serving as a police officer in the City of Springhill and resource officer for Brown Upper School.

We note that the person at issue will be holding both full-time employment and a full-time elected position. While the Dual Officeholding and Employment law does not prohibit this arrangement, the individual must be careful to fulfill the requirements of both positions. The absence of statutory restrictions does not eliminate practical and operational considerations. Each role may have onsite obligations that could be in conflict as an individual cannot be in two locations simultaneously. While the law may not prohibit the decision to proceed, one must take into consideration whether they can effectively and appropriately fulfill the duties and obligations of both roles.

Please note that our expressed opinion relative to state law is limited to an examination of the Dual Officeholding and Dual Employment provisions. It does not address Louisiana's civil service laws. It also does not address the potential applicability of the provisions of the Louisiana Code of Governmental Ethics, La. R.S. 42:1111, *et seq.* Advisory rulings addressing questions under the Ethics Code are within the jurisdiction of the Louisiana State Board of Ethics. The Board may be contacted at the following address: P.O. Box 4368, Baton Rouge, LA 70821, phone: 225-219-5600.

We hope that this opinion adequately addresses 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:  _____
Harley Fredieu
Assistant Attorney General

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