

Regular Session, 2006  
HOUSE BILL NO. 716  
BY REPRESENTATIVE BEARD

# ACT No. 858

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## A JOINT RESOLUTION

Proposing to amend Article IV, Sections 15 and 16 of the Constitution of Louisiana, to provide for the filling of a vacancy in a statewide elective office other than the office of governor; to provide for certain procedures and limitations; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article IV, Sections 15 and 16 of the Constitution of Louisiana, to read as follows:

### §15. Vacancy in Office of Lieutenant Governor

Section 15. Should a vacancy occur in the office of lieutenant governor, the governor shall nominate a lieutenant governor, who shall take office upon confirmation by a majority vote of the elected members of each house of the legislature. If the unexpired term exceeds one year, such person shall serve as lieutenant governor only until the office is filled as provided in Section 16(B) of this Article.

### §16. Vacancies in ~~Other~~ Statewide Elective Offices

Section 16.(A) A vacancy in a statewide elective office other than that of governor or lieutenant governor shall be filled by the first assistant. If the unexpired term exceeds one year, the first assistant shall serve only until the person elected as provided in Paragraph (B) of this Section takes office.

(B) If the unexpired term exceeds one year, the office shall be filled by election at the next regularly scheduled congressional or statewide election; ~~and the~~

1           ~~first assistant shall serve only until the person then elected takes office.~~ however, if  
 2           no such election date is available within one year of the vacancy, the office shall be  
 3           filled by election at a special election called by the governor for such purpose.

4           Section 2. Be it further resolved that this proposed amendment shall be submitted  
 5           to the electors of the state of Louisiana at the statewide election to be held on September 30,  
 6           2006.

7           Section 3. Be it further resolved that on the official ballot to be used at said election  
 8           there shall be printed a proposition, upon which the electors of the state shall be permitted  
 9           to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall  
 10          read as follows:

11                        To provide for the filling of vacancies in the lieutenant governor's office and  
 12                        other statewide elective offices; to provide that if more than one year remains  
 13                        in the term, the person nominated by the governor and confirmed by the  
 14                        legislature to serve as lieutenant governor or the first assistant in other  
 15                        statewide elected offices, shall fill the vacancy only until the office can be  
 16                        filled at the next regular statewide or congressional election or until the  
 17                        governor is required to call a special election. (Amends Article IV, Sections  
 18                        15 and 16)

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE