

Regular Session, 2009

SENATE BILL NO. 5

BY SENATORS RISER, N. GAUTREAUX, CROWE, DUPLESSIS, ERDEY, HEBERT,  
KOSTELKA, LAFLEUR, MORRISH, NEVERS AND WALSWORTH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LEGISLATIVE SESSIONS. Constitutional amendment to provide for the convening of annual legislative regular sessions and the effective date of legislation enacted at such sessions. (2/3 - CA13s1(A)) (1/1/12)

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A JOINT RESOLUTION

Proposing to amend Article III, Sections 2 (A)(3)(a) and (4)(a) and 19 of the Constitution of Louisiana, relative to the legislature; to provide for the convening of the legislature for annual regular sessions; to provide for the effective date of legislation enacted at such sessions; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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, for their approval or rejection in the manner provided by law, a proposal to amend Article III, Sections 2(A)(3)(a) and (4)(a) and 19 of the Constitution of Louisiana, to read as follows:

§2. Sessions

Section 2. (A) Annual Session.

\* \* \*

(3)(a) All regular sessions convening in even-numbered years shall be general in nature and shall convene at noon on the ~~last~~ **second** Monday in March. The legislature shall meet in such a session for not more than sixty legislative days during a period of eighty-five calendar days. No such session shall continue beyond six

1 o'clock in the evening of the eighty-fifth calendar day after convening. No new  
 2 matter intended to have the effect of law shall be introduced or received by either  
 3 house after six o'clock in the evening of the twenty-third calendar day. No matter  
 4 intended to have the effect of law, except a measure proposing a suspension of law,  
 5 shall be considered on third reading and final passage in either house after six o'clock  
 6 in the evening of the fifty-seventh legislative day or the eighty-second calendar day,  
 7 whichever occurs first, except by a favorable record vote of two-thirds of the elected  
 8 members of each house.

9 \* \* \*

10 (4)(a) All regular sessions convening in odd-numbered years shall convene  
 11 at noon on the ~~last~~ **second** Monday in April. The legislature shall meet in such a  
 12 session for not more than forty-five legislative days in a period of sixty calendar  
 13 days. No such session shall continue beyond six o'clock in the evening of the sixtieth  
 14 calendar day after convening. No new matter intended to have the effect of law shall  
 15 be introduced or received by either house after six o'clock in the evening of the tenth  
 16 calendar day. No matter intended to have the effect of law, except a measure  
 17 proposing a suspension of law, shall be considered on third reading and final passage  
 18 in either house after six o'clock in the evening of the forty-second legislative day or  
 19 fifty-seventh calendar day, whichever occurs first, except by a favorable record vote  
 20 of two-thirds of the elected members of each house.

21 \* \* \*

#### 22 §19. Effective Date of Laws

23 Section 19. All laws enacted during a regular session of the legislature shall  
 24 take effect on ~~August fifteenth~~ **July first** of the calendar year in which the regular  
 25 session is held and all laws enacted during an extraordinary session of the legislature  
 26 shall take effect on the sixtieth day after final adjournment of the extraordinary  
 27 session in which they were enacted. All laws shall be published prior thereto in the  
 28 official journal of the state as provided by law. However, any bill may specify an  
 29 earlier or later effective date.

1           Section 2. Be it further resolved that this proposed amendment shall become  
2 effective January 1, 2012.

3           Section 3. Be it further resolved that this proposed amendment shall be submitted  
4 to the electors of the state of Louisiana at the statewide election to be held on October 2,  
5 2010.

6           Section 4. Be it further resolved that on the official ballot to be used at said election  
7 there shall be printed a proposition, upon which the electors of the state shall be permitted  
8 to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall  
9 read as follows:

10                   To move the convening of the legislature in annual regular session in even-  
11 numbered years to the second Monday in March and in odd-numbered years  
12 to the second Monday in April and to change the effective date of legislation  
13 enacted at such sessions to July first.

14                   (Amends Article III, Sections 2(A)(3)(a) and (4)(a) and 19)

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The original instrument was prepared by Jerry J. Guillot. The following digest, which does not constitute a part of the legislative instrument, was prepared by Nancy Vicknair.

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#### DIGEST

Riser (SB 5)

Present constitution, relative to the holding of regular legislative sessions, provides that in even-numbered years the legislature convenes at noon on the last Monday in March, in which the legislature shall meet for not more than 60 legislative days during a period of 85 calendar days. Proposed constitutional amendment moves the convening of the session to the second Monday in March. Otherwise retains present constitution.

Present constitution provides that in odd-numbered years the legislature shall convene at noon on the last Monday in April, in which the legislature shall meet for not more than 45 legislative days during a period of 60 calendar days. Proposed constitutional amendment moves the convening of the session to the second Monday in April. Otherwise retains present constitution.

Present constitution provides that all laws enacted during a regular session of the legislature shall take effect on August fifteenth of the calendar year in which the regular session is held unless an earlier or later effective date is specified in the bill. Proposed constitutional amendment changes the effective date to July first.

Specifies submission of the amendment to the voters at the statewide election to be held on October 2, 2010.

Effective January 1, 2012, if approved by voters.

(Amends Const. Art. III, Secs. 2(A)(3)(a) and (4)(a) and 19)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill.

1. Changes the date for all regular sessions convening in even-numbered years from the last Monday in January to the second Monday in March.
2. Changes the date for all regular session convening in odd-numbered years from the last Monday in February to the second Monday in April.
3. Requires the proposed amendment to be effective on January 1, 2012.