

Regular Session, 2001

ACT No. 1231

SENATE BILL NO. 4

BY SENATORS HINES AND DARDENNE AND REPRESENTATIVES E. ALEXANDER, BALDONE, BOWLER, BRUNEAU, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, DANIEL, DIEZ, DONELON, DURAND, FAUCHEUX, FRITH, FRUGE, GUILLORY, HEATON, HOLDEN, HUDSON, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, LANCASTER, MARTINY, MCMAINS, MONTGOMERY, MURRAY, ODINET, PIERRE, PITRE, POWELL, PRATT, RIDDLE, ROMERO, SCHWEGMANN, JACK SMITH, JANE SMITH, JOHN SMITH, TOWNSEND, WALSWORTH AND WELCH

A JOINT RESOLUTION

Proposing to amend Article III, Section 2 (A) of the Constitution of Louisiana, to provide for the consideration of certain legislative instruments during regular sessions; to provide relative to subject matter limitations for and the duration of regular sessions; to provide deadlines for the prefiling and introduction of legislation and for certain legislative action; to provide for the authority of the legislature as related thereto; to specify an election for submission of the proposition to electors and provide a ballot proposition; 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, for their approval or rejection in the manner provided by law, a proposal to amend Article III, Section 2(A) of the Constitution of Louisiana, to read as follows:

§2. Sessions

Section 2.(A)(~~1~~) Annual Session. (1) The legislature shall meet annually in regular session for a limited number of legislative days in the state capital. A legislative day is a calendar day on which either house is in session.

(2) Any bill to be introduced in either house shall be prefiled no later than five o'clock in the evening of the ~~Friday before~~ tenth calendar day prior to the first day of a regular session; thereafter no member of the legislature may introduce more than five bills, except as provided in the joint rules of the legislature. The legislature is authorized to provide by joint rule for the procedures for passage of duplicate or companion instruments.

~~(2)~~(3)(a) All regular sessions convening in ~~odd~~ even-numbered years shall be general in nature and shall convene at noon on the last 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 o'clock in the evening of the eighty-fifth calendar day after convening. No new matter intended to have the effect of law shall be introduced or received by either house after ~~midnight of the thirtieth~~ six o'clock in the evening of the twenty-third calendar day. No matter intended to have the effect of law, except a measure proposing a suspension of law, shall be considered on third reading and final passage in either house after ~~midnight of the fifty-fifth~~ six o'clock in the evening of the fifty-seventh legislative day or the eighty-second calendar day, whichever occurs first, of a regular session, except by a favorable record vote of two-thirds of the elected members of each house.

(b) No measure levying or authorizing a new tax by the state or

by any statewide political subdivision whose boundaries are coterminous with the state;~~;~~ increasing an existing tax by the state or by any statewide political subdivision whose boundaries are coterminous with the state;~~;~~ or legislating with regard to tax exemptions, exclusions, deductions or credits shall be introduced or enacted during a regular session held in an ~~odd~~ **even**-numbered year.

~~(3)~~**(4)(a)** All regular sessions convening in ~~even~~ **odd**-numbered years shall convene at noon on the last Monday in April. ~~Each such session shall be restricted to the consideration of legislation which provides for enactment of a general appropriations bill, implementation of a capital budget, for making an appropriation, levying or authorizing a new tax, increasing an existing tax, legislating with regard to tax exemptions, exclusions, deductions, reductions, repeal, or credits, or issuing bonds.~~ The legislature shall meet in such a session for not more than ~~thirty~~ **forty-five** legislative days in a period of ~~forty-five~~ **sixty** calendar days. No such session shall continue beyond six o'clock in the evening of the ~~forty-fifth~~ **sixtieth** calendar day after convening. No new matter intended to have the effect of law shall be introduced or received by either house after ~~midnight~~ **six o'clock in the evening** of the tenth calendar day. No matter intended to have the effect of law, except a measure proposing a suspension of law, shall be considered on third reading and final passage in either house after ~~midnight~~ **of the twenty-seventh** **six o'clock in the evening of the forty-second** legislative day **or fifty-seventh calendar day, whichever occurs first,** ~~of a regular session;~~ except by a favorable record vote of two-thirds of the elected members of each house.

Article III Section 2(A)(4)(b) is all new law.

(b) During any session convening in an odd-numbered year, no matter intended to have the effect of law, including any suspension of law, shall be introduced or considered unless its object is to enact the General Appropriation Bill; enact the comprehensive capital budget; make an appropriation; levy or authorize a new tax; increase an existing tax; levy, authorize, increase, decrease, or repeal a fee; dedicate revenue; legislate with regard to tax exemptions, exclusions, deductions, reductions, repeals, or credits; or legislate with regard to the issuance of bonds. In addition, a matter intended to have the effect of law, including a measure proposing a suspension of law, which is not within the subject matter restrictions provided in this Subparagraph may be considered at any such session if:

(i) It is prefiled no later than the deadline provided in Subparagraph (2) of this Paragraph, provided that the member shall not prefile more than five such matters pursuant to this Subsubparagraph; or

(ii) Its object is to enact a local or special law which is required to be and has been advertised in accordance with Section 13 of this Article and which is not prohibited by the provisions of Section 12 of this Article.

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Section 2. Be it further resolved that the proposed amendments to Article III, Section 2 shall become effective on January 1, 2004.

Section 3. Be it further resolved that this proposed amendment shall be submitted to the electors of the state at the statewide election to be held on November 5, 2002, and shall be the first ballot proposition for constitutional amendments to appear on the ballot for such election.

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

To change general legislative sessions from odd-numbered years to even-numbered years and fiscal sessions from even-numbered years to odd-numbered years; to provide for the consideration of not more than five prefiled bills per member which are not within the subject matter limitations during fiscal sessions; to provide that the legislature, during fiscal sessions may consider legislation which levies, authorizes, increases, decreases, or repeals a fee or which dedicates revenue, and local and special bills; to extend the length of the fiscal sessions; and to provide for certain legislative deadlines during annual regular sessions.

(Amends Article III, Section 2(A))

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES