

2017 Regular Session

HOUSE BILL NO. 15

BY REPRESENTATIVE JAMES

MUNICIPAL/INCORPORATION: Provides relative to elections on a question of municipal incorporation in East Baton Rouge Parish

1 AN ACT

2 To amend and reenact R.S. 33:3(B), relative to East Baton Rouge Parish; to provide relative
3 to the incorporation of a municipality within the parish; to provide relative to electors
4 who are entitled to vote in an election on the question of such an incorporation; and
5 to provide for related matters.

6 Notice of intention to introduce this Act has been published
7 as provided by Article III, Section 13 of the Constitution of
8 Louisiana.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 33:3(B) is hereby amended and reenacted to read as follows:

11 §3. Governor's determination; special election

12 * * *

13 B.(1) The special election shall be for the purpose of determining whether
14 the unincorporated area described in the petition shall become a municipality. All
15 qualified electors residing within the area proposed for incorporation shall be entitled
16 to vote in the special election and the election shall be held in accordance with the
17 procedures specified in R.S. 18:1300. The costs of the special election shall be borne
18 by the parish in which the area proposed for incorporation is located. If such area
19 is located in more than one parish, the cost of the election shall be prorated between
20 the parishes on the basis of the percentage of electors residing in each parish who are

1 eligible to vote in the election. The results of the election shall be determined and
2 promulgated as provided in R.S. 18:1300.

3 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, at
4 any special election held for the purpose of determining whether an unincorporated
5 area situated within East Baton Rouge Parish shall become a municipality, all
6 qualified electors of the parish are entitled to vote in the special election.

7 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 15 Original

2017 Regular Session

James

Abstract: Provides that all qualified electors of East Baton Rouge Parish are entitled to vote in a special election on the question of incorporation of a new municipality situated within the parish.

Present law provides that residents of any unincorporated area with a population in excess of 200 people may propose the incorporation of the area. Requires that proponents of the incorporation file a petition with the registrar of voters in the parish or parishes in which the unincorporated area is located. Provides that the petition must contain the signatures of 25% of the electors residing in the area proposed for incorporation.

Present law provides that upon the governor's determination that the petition for incorporation complies with present law, he shall call a special election to be held on the next possible date for special elections in accordance with the La. Election Code.

Proposed law retains present law.

Present law provides that all qualified electors residing within the area proposed for incorporation are entitled to vote in the special election.

Proposed law provides an exception for East Baton Rouge Parish. Provides that all qualified electors of East Baton Rouge Parish are entitled to vote in a special election called for the purpose of determining whether an unincorporated area within the parish shall become a municipality.

(Amends R.S. 33:3(B))