Regular Session, 2013

HOUSE BILL NO. 87

BY REPRESENTATIVE CARMODY

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

STUDENT/TUITION: (Constitutional Amendment) Exempts public postsecondary education tuition and fees from requirements for imposing a new or increasing an existing fee

A JOINT RESOLUTION

Proposing to add Article VII, Section 2.1(C) of the Constitution of Louisiana, relative to requirements in relation to the imposition of or increase in fees and civil fines; to provide exceptions relative to public postsecondary education tuition and fees; 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 add Article VII, Section 2.1(C) of the Constitution of Louisiana, to read as follows:

§2.1. Fees and Civil Fines; Limitation<u>; Exceptions</u>

Section 2.1.

* * *

<u>(C) The provisions of Paragraph (A) of this Section shall not apply to tuition or fees imposed by a postsecondary education management board.</u>

Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on November 4, 2014.

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Section 3. 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 YES or NO, to amend the Constitution of Louisiana, which proposition shall read as follows:

> Do you support an amendment to exempt public postsecondary education tuition and fees from the requirement that the imposition of a new fee or fee increase requires the enactment of a law by a two-thirds vote of the legislature? (Adds Article VII, Section 2.1(C))

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)]

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Abstract: Provides that the requirement that the imposition of a new fee or increase in an existing fee requires the enactment of a law by a 2/3 vote by the legislature shall not apply to tuition or fees imposed by a public postsecondary education management board.

<u>Present constitution</u> provides that any new fee or civil fine or increase in an existing fee or civil fine imposed by any board, department, or agency of the state shall require the enactment of a law by 2/3 vote of the elected members of each house of the legislature.

<u>Present constitution</u> specifies that this requirement does not apply to any department which is constitutionally created and headed by an officer who is elected by majority vote of the electorate of the state.

<u>Proposed constitutional amendment</u> retains <u>present constitution</u> and provides that this requirement shall not apply to tuition or fees imposed by a public postsecondary education management board.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 4, 2014.

(Adds Const. Art. VII, §2.1(C))

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