

Regular Session, 2014

HOUSE BILL NO. 1212

BY REPRESENTATIVE JAMES

MUNICIPAL/INCORPORATION: Provides relative to the election on a question of municipal incorporation

1 AN ACT

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

6 Be it enacted by the Legislature of Louisiana:

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

8 §3. Governor's determination; special election

9 \* \* \*

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

21 \* \* \*

1 Section 2. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
5 effective on the day following such approval.

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#### 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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James

HB No. 1212

**Abstract:** Provides that all qualified voters who reside in the parish or parishes in which a proposed municipality is situated shall be eligible to vote in a special election on incorporating the new municipality.

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

Present law provides that if the governor finds that the petition for incorporation meets all of the requirements of 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 the qualified electors residing within the area proposed for incorporation shall be entitled to vote in such an election.

Proposed law provides that all qualified electors residing in the parish or parishes in which the proposed area is situated shall be entitled to vote in the special election.

Effective upon signature of governor or lapse of time for gubernatorial action.

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