

Regular Session, 2014

HOUSE BILL NO. 373

BY REPRESENTATIVE CARTER

LEGISLATIVE SESSIONS: (Constitutional Amendment) Provides relative to legislative sessions and bill introduction limits

1 A JOINT RESOLUTION

2 Proposing to amend Article III, Section 2(A)(3) and (4) and to add Article III, Section
3 2(A)(5) of the Constitution of Louisiana, to provide relative to legislative sessions;
4 to provide for the length and date of convening of a regular session in an even-
5 numbered year; to provide deadlines for introducing and considering certain matters
6 in a regular session in an even-numbered year; to limit the number of certain matters
7 that may be introduced during a regular session in an even-numbered year; to
8 provide for submission of the proposed amendment to the electors; and to provide
9 for related matters.

10 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
11 elected to each house concurring, that there shall be submitted to the electors of the state of
12 Louisiana, for their approval or rejection in the manner provided by law, a proposal to
13 amend Article III, Section 2(A)(3) and (4) and to add Article III, Section 2(A)(5) of the
14 Constitution of Louisiana, to read as follows:

15 §2. Sessions

16 Section 2.(A) Annual Session.

17 * * *

18 ~~(3)(a)~~ (3) All regular sessions ~~convening in even-numbered years shall be~~
19 ~~general in nature and shall convene at noon on the second Monday in March~~ April.

1 The legislature shall meet in such a session for not more than ~~sixty~~ forty-five
2 legislative days during a period of ~~eighty-five~~ sixty calendar days. No such session
3 shall continue beyond six o'clock in the evening of the ~~eighty-fifth~~ sixtieth calendar
4 day after convening. No new matter intended to have the effect of law shall be
5 introduced or received by either house after six o'clock in the evening of the ~~twenty-~~
6 ~~third~~ tenth calendar day. No matter intended to have the effect of law, except a
7 measure proposing a suspension of law, shall be considered on third reading and
8 final passage in either house after six o'clock in the evening of the ~~fifty-seventh~~
9 forty-second legislative day or the ~~eighty-second~~ fifty-seventh calendar day,
10 whichever occurs first, except by a favorable record vote of two-thirds of the elected
11 members of each house.

12 ~~(b)~~ (4)(a) All regular sessions convening in even-numbered years shall be
13 general in nature. No measure levying or authorizing a new tax by the state or by
14 any statewide political subdivision whose boundaries are coterminous with the state;
15 increasing an existing tax by the state or by any statewide political subdivision
16 whose boundaries are coterminous with the state; or legislating with regard to tax
17 exemptions, exclusions, deductions or credits, shall be introduced or enacted during
18 a regular session held in an even-numbered year.

19 (b) Except as provided in Subsubparagraph (c) of this Subparagraph, no
20 member of the legislature may introduce more than ten matters intended to have the
21 effect of law in a regular session convening in an even-numbered year.

22 (c) The limitation provided in Subsubparagraph (b) of this Subparagraph
23 shall not apply to a matter intended to have the effect of law the object of which is
24 to enact a local or special law which is required to be and has been advertised in
25 accordance with Section 13 of this Article and which is not prohibited by the
26 provisions of Section 12 of this Article.

27 ~~(4)(a)~~ All regular sessions convening in odd-numbered years shall convene
28 at noon on the second Monday in April. The legislature shall meet in such a session
29 for not more than forty-five legislative days in a period of sixty calendar days. No

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

9 (b) (5) During any session convening in an odd-numbered year, no matter
 10 intended to have the effect of law, including any suspension of law, shall be
 11 introduced or considered unless its object is to enact the General Appropriation Bill;
 12 enact the comprehensive capital budget; make an appropriation; levy or authorize a
 13 new tax; increase an existing tax; levy, authorize, increase, decrease, or repeal a fee;
 14 dedicate revenue; legislate with regard to tax exemptions, exclusions, deductions,
 15 reductions, repeals, or credits; or legislate with regard to the issuance of bonds. In
 16 addition, a matter intended to have the effect of law, including a measure proposing
 17 a suspension of law, which is not within the subject matter restrictions provided in
 18 this Subparagraph may be considered at any such session if:

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

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

25 * * *

26 Section 2. Be it further resolved that this proposed amendment shall be submitted
 27 to the electors of the state of Louisiana at the statewide election to be held on November 4,
 28 2014.

1 Section 3. Be it further resolved that on the official ballot to be used at the election,
2 there shall be printed a proposition, upon which the electors of the state shall be permitted
3 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
4 follows:

5 Do you support an amendment to shorten the maximum length of a regular
6 session in an even-numbered year from sixty legislative days in eighty-five
7 calendar days to forty-five legislative days in sixty calendar days, make
8 related changes to deadlines for introducing and considering certain matters
9 in such sessions, and move the date on which such sessions convene from the
10 second Monday in March to the second Monday in April, all to be the same
11 as regular sessions in odd-numbered years, and to limit to ten the number of
12 matters that are not local or special that a member of the legislature may
13 introduce during a regular session in an even-numbered year? (Amends
14 Article III, Section 2(A)(3) and (4); Adds Article III, Section 2(A)(5))

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)]

Carter

HB No. 373

Abstract: Shortens the maximum length of regular sessions in even-numbered years and limits to 10 the number of matters that are not local or special that a member of the legislature may introduce during such sessions.

Present constitution provides separately for regular sessions in odd-numbered and even-numbered years. Provides that regular sessions in odd-numbered years convene at noon on the second Mon. in April and last for no more than 45 legislative days in a period of 60 calendar days. Provides related deadlines for introducing and considering certain matters. Limits the introduction of matters to certain specified fiscal matters; provides exceptions for local and special matters and for up to five general matters that are prefiled.

Proposed constitutional amendment retains present constitution.

Present constitution provides that regular sessions in even-numbered years are general in nature. Prohibits the introduction of certain specified measures involving certain taxes. Proposed constitutional amendment retains present constitution.

Present constitution provides that regular sessions in even-numbered years convene at noon on the second Mon. in March and last for no more than 60 legislative days in a period of 85 calendar days. Provides for related deadlines for introducing and considering certain matters.

Proposed constitutional amendment shortens the maximum length of regular sessions in even-numbered years from 60 legislative days in 85 calendar days to 45 legislative days in 60 calendar days, makes related changes to deadlines for introducing and considering certain matters in those sessions, and moves the date on which the session convenes, all to be the same as regular sessions in odd-numbered years. Additionally, limits to ten the number of matters that are not local or special that a member of the legislature may introduce during a regular session in an even-numbered year.

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

(Amends Art. III, §2(A)(3) and (4); Adds Art. III, §2(A)(5))