

SENATE BILL NO. 470

BY SENATOR MARTINY

1 AN ACT

2 To amend and reenact R.S. 24:14(H) and (K)(1)(a) and (2), relative to confirmation by the  
3 Senate; to provide for notice to certain persons not submitted, confirmed or  
4 reconfirmed by the Senate; to provide for the time of reconfirmation for persons  
5 serving a specific term; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 24:14(H) and (K)(1)(a) and (2) are hereby amended and reenacted  
8 to read as follows:

9 §14. Senate confirmations

10 \* \* \*

11 H.(1)(a) In the event a person is not submitted to or is not confirmed by the  
12 Senate, **or is submitted to the Senate for reconfirmation but not reconfirmed by**  
13 **the Senate pursuant to Subsection K of this Section,** and the person attempts to  
14 remain in office **after being advised by the Senate, through its president, by**  
15 **certified mail, return receipt requested, of his lack of confirmation or**  
16 **reconfirmation,** and acts in his official capacity, any action taken by a public body  
17 in which such person participates shall be null and void. **The Senate, through its**  
18 **president, shall notify any person not submitted to the Senate for confirmation**  
19 **or not confirmed by the Senate and any person submitted to the Senate for**  
20 **reconfirmation but not reconfirmed by the Senate no later than thirty days after**  
21 **the Senate considers confirmations.**

22 (b) The Senate, through its president, may bring an action to remove the  
23 person from office. Notwithstanding any other law to the contrary, the venue for any  
24 such action shall be East Baton Rouge Parish.

1            (2)(a) In the event a person is not submitted to the Senate for  
 2            reconfirmation, pursuant to Subsection K of this Section, and the person  
 3            attempts to remain in office after being advised by his appointing official by  
 4            certified mail, return receipt requested, of his failure to be submitted and to be  
 5            reconfirmed and acts in his official capacity, any action taken by a public body  
 6            in which such person participates shall be a relative nullity and shall be subject  
 7            to challenge in district court. Notwithstanding any other law to the contrary,  
 8            the venue for any such action shall be East Baton Rouge Parish.

9            (b) The appointing official shall notify any person whom he failed to  
 10           submit to the Senate for reconfirmation or who was not reconfirmed and the  
 11           office, board, commission, committee, or district to which the person was  
 12           appointed, no later than thirty days after the Senate considers confirmations.

13    \*        \*        \*

14    K. Notwithstanding any other provision of law, all persons who are appointed  
 15    to a position on a board, commission, committee, or district, which requires Senate  
 16    confirmation, including persons appointed to a partial term shall be subject to  
 17    reconfirmation as follows:

18    (1)(a) ~~At~~ **The service of each** appointees appointed to a term concurrent  
 19    with the appointing official or at the pleasure of the appointing official shall expire  
 20    at the end of the appointing official's term as provided for in Article IV, Section 3 of  
 21    the Constitution of Louisiana or as otherwise provided for by law.

22    \*        \*        \*

23    (2)(a) ~~At~~ **The service of each** appointees appointed to a fixed term shall  
 24    expire at the end of the term to which the appointee was appointed.

25    (b) The appointee may continue to serve until the end of the second regular  
 26    session of the Legislature following the ~~beginning of the legislative term at which~~  
 27    ~~time the position shall become vacant unless the appointee is reappointed to the~~  
 28    ~~position and has been confirmed by the Senate by the end of the second regular~~  
 29    ~~legislative session~~ **expiration of the term.**

30    Section 2. This Act shall become effective upon signature by the governor or, if not

1 signed by the governor, upon expiration of the time for bills to become law without signature  
2 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
3 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
4 effective on the day following such approval.

---

PRESIDENT OF THE SENATE

---

SPEAKER OF THE HOUSE OF REPRESENTATIVES

---

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_