

2015 Regular Session

HOUSE BILL NO. 131

BY REPRESENTATIVE BERTHELOT

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

ELECTIONS/RECALL: Provides that certain recalled elected officials are ineligible to become candidates in certain elections

1 AN ACT

2 To amend and reenact R.S. 18:1300.13(B)(2), relative to public officers who have been
3 recalled and removed from office; to provide that certain public officers who have
4 been recalled and removed from office are ineligible to become candidates in certain
5 elections; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:1300.13(B)(2) is hereby amended and reenacted to read as
8 follows:

9 §1300.13. Declaration of vacancy; prohibitions

10 * * *

11 B.

12 * * *

13 (2)(a) A public officer who has been recalled and removed from office shall
14 be ineligible as a candidate at an election called to fill the vacancy created by the
15 recall of such public officer.

16 (b) If the recalled public officer was removed from office as a member of the
17 governing authority of a municipality governed by Part I of Chapter 2 of Title 33 of
18 the Louisiana Revised Statutes of 1950, he shall also be ineligible as a candidate at
19 an election to fill a vacancy on the governing authority that is held prior to the next

1 regularly scheduled election for members of the governing authority following the
2 recall of the public officer.

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 131 Engrossed

2015 Regular Session

Berthelot

Abstract: Provides that a recalled public officer who was removed from office as a member of certain municipal governing authorities is ineligible as a candidate at an election to fill a vacancy on the governing authority that is held prior to the next regularly scheduled election for members of the governing authority.

Present law (R.S. 18:1300.13) prohibits a public officer who has been recalled and removed from office from being appointed to succeed himself in the office from which he was recalled and removed. Further prohibits a public officer who has been recalled and removed from office from being eligible as a candidate at an election called to fill the vacancy created by the recall of the public officer.

Proposed law retains present law. Additionally provides that if the recalled public officer was removed from office as a member of the governing authority of a Lawrason Act municipality, he is ineligible as a candidate at an election to fill a vacancy on the governing authority that is held prior to the next regularly scheduled election for members of the governing authority following the recall of the public officer.

(Amends R.S. 18:1300.13(B)(2))