

2018 Regular Session

HOUSE BILL NO. 317

BY REPRESENTATIVE ROBBY CARTER

MUNICIPAL/LAWRASON ACT: Provides for changes to the election dates for certain Lawrason Act municipalities

1 AN ACT

2 To amend and reenact R.S. 33:383(A)(1) and to enact R.S. 33:383(A)(3), relative to
3 municipal elections in certain Lawrason Act municipalities; to require use of the
4 gubernatorial election date for such elections by certain municipalities; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:383(A)(1) is hereby amended and reenacted and R.S.
8 33:383(A)(3) is hereby enacted to read as follows:

9 §383. Municipal elections; term of office; filling vacancies; officers holding over
10 under new form of government

11 A.(1) Except as otherwise provided in ~~Paragraph (2)~~ of by this Subsection
12 and R.S. 33:383.2, municipal elections shall be held every four years on the date for
13 municipal and ward elections in accordance with R.S. 18:402(C). The officers
14 elected shall take office on the first day of July following their election and shall
15 hold their office for four years.

16 * * *

17 (3)(a) Any municipality having a population between one thousand two
18 hundred and two thousand persons within a parish having a population between one
19 hundred eighteen thousand and one hundred twenty-five thousand persons based on

1 the latest federal decennial census shall hold municipal elections at the gubernatorial
2 elections in accordance with R.S. 18:402(A).

3 (b) The officers elected shall take office on the first day of July following
4 their election and shall hold their office for four years.

5 * * *

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

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 317 Reengrossed

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Abstract: Requires certain Lawrason Act municipalities to use the gubernatorial election date for their municipal elections.

Present law provides that municipalities with a mayor-board of aldermen form of government hold municipal elections every four years on the date for municipal and ward elections in accordance with the election code (the Spring election dates). Provides that the officers elected take office on the first day of July following their election. Present law provides, however, that such a municipality may move its municipal elections to the congressional election date by adopting an ordinance and submitting a plan to the secretary of state not later than one year prior to the opening of the qualifying period for the congressional primary election at which municipal officers shall be elected initially. Provides that such a plan is irrevocable. Provides that officers elected take office on the first day of Jan. following their election. Proposed law retains present law.

Proposed law changes the election date for municipal elections in a municipality with a population of between 1,200 and 2,000 persons that is within a parish with a population between 118,000 and 125,000 persons to the *gubernatorial* election date. Provides that officers elected take office on the first day of July following their election and hold office for four years.

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

(Amends R.S. 33:383(A)(1); Adds R.S. 33:383(A)(3))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Change the date for municipal elections rather than authorizing the municipality to change the date.
2. Remove provisions of proposed law relative to the adoption and filing of a plan by the municipal governing authority.