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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Matt DeVille.

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SB 248 Original	DIGEST 2020 Regular Session	Carter
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Proposed constitutional amendment establishes an initiative to allow voters to propose laws or constitutional amendments and to adopt or reject such proposals.

Proposed constitutional amendment requires an initiative measure to be submitted by any elector or group of electors to the secretary of state, prior to circulation for signatures and requires the secretary of state to submit the text to the La. State Law Institute which will prepare, within 45 days, the text and title of the measure and a ballot proposition not exceeding 400 words summarizing the measure. Requires the secretary of state to submit the petition within seven days to the legislative fiscal officer for preparation of a fiscal note. Requires the secretary of state to certify the petition form to include the title, the proposition, the ballot proposition language, the fiscal note, and the petition commencement date. Requires the secretary of state to return the petition to the elector or group for circulation. Provides that the date the secretary of state transmits the petition to the elector or group proposing the petition is the petition commencement date. Requires return of the petition to the secretary of state, with the required signatures, not less than 180 days after the commencement date.

Proposed constitutional amendment requires the secretary of state to adopt rules specifying the form of the petition and requirements for verification. Provides that the rules include but not be limited to the signature, address, and birth date of the elector on the petition. Additionally requires the secretary of state to adopt, by rule, a reasonable fee for the filing of petitions. Provides that any rule adopted by the secretary of state pursuant to proposed constitutional amendment be subject to oversight by the appropriate standing committees of the legislature. Further authorizes the legislature to provide the manner in which petitions will be circulated.

Proposed constitutional amendment requires the petition signatures to be collected and grouped by parish. Requires that the registrar of voters in each parish verify the signatures of those qualified electors within their respective jurisdiction within 30 days, and provides that only the signature of qualified electors will be counted to satisfy signature requirements. Prohibits the addition or removal of signatures from a certified petition after it has been returned to the secretary of state.

Proposed constitutional amendment requires the petition to have been signed by the number of qualified electors equal to at least 8% of the total number of electors voting in the most recent gubernatorial general election to propose a new law or amend an existing law, and 10% to propose an amendment to the constitution.

Proposed constitutional amendment requires the secretary of state, after completion of the collection and verification process, to review the petition for compliance with the initiative requirements and, if valid, to place the proposition on the ballot at the next regularly scheduled statewide primary or general election which will occur at least 100 days after the determination of compliance. Requires

the secretary of state to publish a notice containing the proposition and the election date in the official journal of each parish 30-60 days prior to the election.

Proposed constitutional amendment provides that if two or more ballot proposals, whether placed on the ballot by initiative or pursuant to legislative action, are determined by the La. State Law Institute to be in conflict, then the secretary of state is to place the propositions on the ballot as alternative proposals, only one of which may be voted on in the affirmative by an elector.

Proposed constitutional amendment requires, for passage of an initiative law or constitutional amendment, approval by a majority of the voters statewide. Requires the governor to proclaim the adoption of any initiative measure approved by the voters. Provides that the measure becomes effective 10 days after the proclamation unless the proposal provides otherwise.

Proposed constitutional amendment provides that any such law or constitutional amendment will not:

- (1) Impair the obligation of contracts.
- (2) Impair the outstanding bonded indebtedness.
- (3) Dedicate revenues.
- (4) Impose or increase taxes or tax exemptions or remove or reduce any taxes or tax exemptions.
- (5) Make or repeal an appropriation of money for the operation of government.
- (6) Apportion or reapportion any entity of state or local government.
- (7) Create a court.
- (8) Amend or repeal any law or constitutional provision relating to public retirement systems.
- (9) Modify the initiative process.
- (10) Amend or repeal the Declaration of Rights of the constitution.
- (11) Modify or repeal any item which would impact or alter settlements contained in a federal court consent decree.
- (12) Reduce the ability of the state or its entities to receive funds from the federal government.

Proposed constitutional amendment requires an initiative measure to be confined to one object.

Proposed constitutional amendment provides that the veto power of the governor will not extend to initiative measures. Provides that if any initiative measure is rejected, no initiative petition proposing the same, or substantially the same amendment will be submitted for at least one year after the date

of the election on such proposal.

Proposed constitutional amendment requires any elector or group who receives or expends funds to influence the passage or defeat of an initiative measure to be subject to the reporting requirements of the Campaign Finance Disclosure Act.

Specifies submission of the amendment to the voters at the statewide election to be held on November 3, 2020.

(Adds Article XIII-A, Sections 1-11)