

2015 Regular Session

HOUSE BILL NO. 189

BY REPRESENTATIVE RITCHIE

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

LEGISLATIVE SESSIONS: (Constitutional Amendment) Provides relative to legislative sessions convening in even- and odd-numbered years

1 A JOINT RESOLUTION

2 Proposing to amend Article III, Section 2(A)(3) and (4) of the Constitution of Louisiana, to
3 provide relative to regular legislative sessions; to provide for the convening of and
4 subject matter limitations on the consideration of legislative instruments during
5 regular legislative sessions in even- and odd-numbered years; to provide for
6 submission of the proposed amendment to the electors; and to provide for related
7 matters.

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

13 §2. Sessions

14 Section 2.(A) Annual Session.

15 * * *

16 (3)(a) All regular sessions convening in ~~even-numbered~~ odd-numbered years
17 shall be general in nature and shall convene at noon on the second Monday in March.
18 The legislature shall meet in such a session for not more than sixty legislative days
19 during a period of eighty-five calendar days. No such session shall continue beyond
20 six o'clock in the evening of the eighty-fifth calendar day after convening. No new
21 matter intended to have the effect of law shall be introduced or received by either

1 house after six o'clock in the evening of the twenty-third calendar day. No matter
2 intended to have the effect of law, except a measure proposing a suspension of law,
3 shall be considered on third reading and final passage in either house after six o'clock
4 in the evening of the fifty-seventh legislative day or the eighty-second calendar day,
5 whichever occurs first, except by a favorable record vote of two-thirds of the elected
6 members of each house.

7 (b) No measure levying or authorizing a new tax by the state or by any
8 statewide political subdivision whose boundaries are coterminous with the state;
9 increasing an existing tax by the state or by any statewide political subdivision
10 whose boundaries are coterminous with the state; or legislating with regard to tax
11 exemptions, exclusions, deductions or credits, shall be introduced or enacted during
12 a regular session held in an ~~even-numbered~~ odd-numbered year.

13 (4)(a) All regular sessions convening in ~~odd-numbered~~ even-numbered years
14 shall convene at noon on the second Monday in April. The legislature shall meet in
15 such a session for not more than forty-five legislative days in a period of sixty
16 calendar days. No such session shall continue beyond six o'clock in the evening of
17 the sixtieth calendar day after convening. No new matter intended to have the effect
18 of law shall be introduced or received by either house after six o'clock in the evening
19 of the tenth calendar day. No matter intended to have the effect of law, except a
20 measure proposing a suspension of law, shall be considered on third reading and
21 final passage in either house after six o'clock in the evening of the forty-second
22 legislative day or fifty-seventh calendar day, whichever occurs first, except by a
23 favorable record vote of two-thirds of the elected members of each house.

24 (b) During any session convening in an ~~odd-numbered~~ even-numbered year,
25 no matter intended to have the effect of law, including any suspension of law, shall
26 be introduced or considered unless its object is to enact the General Appropriation
27 Bill; enact the comprehensive capital budget; make an appropriation; levy or
28 authorize a new tax; increase an existing tax; levy, authorize, increase, decrease, or
29 repeal a fee; dedicate revenue; legislate with regard to tax exemptions, exclusions,

1 deductions, reductions, repeals, or credits; or legislate with regard to the issuance of
2 bonds. In addition, a matter intended to have the effect of law, including a measure
3 proposing a suspension of law, which is not within the subject matter restrictions
4 provided in this Subparagraph may be considered at any such session if:

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

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

11 * * *

12 Section 2. Be it further resolved that this proposed amendment shall be submitted
13 to the electors of the state of Louisiana at the statewide election to be held on October 24,
14 2015.

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

19 Do you support an amendment to change the convening of fiscal legislative
20 sessions from odd-numbered years to even-numbered years and the
21 convening of general legislative sessions from even-numbered years to odd-
22 numbered years? (Amends Article III, Section 2(A)(3) and (4))

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 189 Reengrossed

2015 Regular Session

Ritchie

Abstract: Changes the years "general" legislative sessions are to convene from even-numbered years to odd-numbered years and the years the "restricted, fiscal" legislative sessions are to convene from odd-numbered years to even-numbered years.

Present constitution provides that in even-numbered years the regular session of the legislature convenes at noon on the second Monday in March, in which the legislature shall meet for not more than 60 legislative days during a period of 85 calendar days. Present constitution prohibits the introduction or enactment of any measure levying or authorizing a new tax or increasing an existing tax by the state or by any statewide political subdivision, or legislating with regard to tax exemptions, exclusions, deductions, or credits during a regular session convening in an even-numbered year. Proposed constitutional amendment changes the convening of this "general" regular legislative session to odd-numbered years and otherwise retains present constitution.

Present constitution provides that in odd-numbered years the legislature shall convene at noon on the second Monday in April, in which the legislature shall meet for not more than 45 legislative days during a period of 60 calendar days. Present constitution provides that during any session convening in an odd-numbered year, no matter shall be introduced or considered unless its object is to enact the General Appropriation Bill or the comprehensive capital budget, to make an appropriation, levy or authorize a new tax, increase an existing tax, levy, authorize, increase, decrease, or repeal a fee, dedicate revenue, legislate with regard to tax exemptions, exclusions, deductions, reductions, repeals, or credits, or legislate with regard to the issuance of bonds. Provides exceptions to this subject matter limitation, including allowing members to prefile up to five "general" matters and local and special bills which are required to be advertised. Proposed constitutional amendment changes the convening of this "restricted, fiscal" regular legislative session to even-numbered years and otherwise retains present constitution.

Provides for submission of the proposed amendment to the voters at the statewide election to be held October 24, 2015.

(Amends Article III, §2(A)(3) and (4))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Make technical amendments to the ballot language.