

2022 Regular Session

SENATE BILL NO. 441

BY SENATOR FESI

ELECTED OFFICIALS. Prohibits a public officer who has retired or resigned from office from qualifying for the same office at a special election to fill the position. (8/1/22)

1 AN ACT

2 To amend and reenact R.S. 18:585, relative to public officers who retire or resign; to provide  
3 that public officers who retire or resign are ineligible to become candidates in certain  
4 elections; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 18:585 is hereby amended and reenacted to read as follows:

7 §585. Procedure for vacancies

8 A. A vacancy in office, including a vacancy caused by the failure of any  
9 candidate to qualify for election to the office or the failure of a sufficient number of  
10 candidates to qualify for the number of positions to be filled in the office, shall be  
11 filled in accordance with the provisions of the constitution or of law.

12 **B.(1) A public officer who has retired or resigned from office shall not**  
13 **be appointed to succeed himself in the office from which he retired or resigned.**

14 **(2)(a) A public officer who has retired or resigned from office shall be**  
15 **ineligible as a candidate at an election called to fill the vacancy created by his**  
16 **retirement or resignation.**

17 **(b) If the public officer retired or resigned from office as a member of**

1            **the governing authority of a municipality governed by Part I of Chapter 2 of**  
2            **Title 33 of the Louisiana Revised Statutes of 1950, he shall also be ineligible as**  
3            **a candidate at an election to fill a vacancy on the governing authority that is**  
4            **held prior to the next regularly scheduled election for members of the governing**  
5            **authority following his retirement or resignation.**

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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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## DIGEST

SB 441 Engrossed

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Present law provides that a vacancy in office shall be filled in accordance with the provisions of the constitution or of law.

Proposed law retains present law and provides that a public officer who has retired or resigned while in office cannot be appointed to succeed himself in the office from which he retired or resigned. Further provides that a public officer who has retired or resigned while in office is not eligible to be a candidate in the special election called as a result of his retirement or resignation.

Effective August 1, 2022.

(Amends R.S. 18:585)