ENROLLED

Regular Session, 2011

HOUSE BILL NO. 509

BY REPRESENTATIVES HUTTER AND SEABAUGH

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

AN ACT

To amend and reenact R.S. 18:402(C)(1) and (2), (E)(1)(c) and (2)(c), and (F)(3), 467(3), 1280.21(A), and 1280.22(B)(1), relative to the presidential preference primary election and elections held at the same time as such primary; to change the date of the presidential preference primary election; to change the qualifying period for presidential candidates; to change the dates of elections held at the same time as the presidential preference primary election and corresponding general elections held thereafter; to provide for qualifying for candidates in elections for certain municipal and ward offices; to provide relative to members of state central committees and parish executive committees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:402(C)(1) and (2), (E)(1)(c) and (2)(c), and (F)(3), 467(3), 1280.21(A), and 1280.22(B)(1) are hereby amended and reenacted to read as follows:

§402. Dates of primary and general elections

* * *

C. Municipal and ward elections. In all municipalities with a population of less than three hundred thousand, elections for municipal and ward officers who are not elected at the same time as the governor or members of congress shall be held every four years.

(1) Primary elections for municipal and ward officers who are not elected at the same time as the governor or members of congress shall be held on the first Saturday in April of an election year, or on the ~~second~~ third Saturday after the first

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Tuesday in ~~February~~ March ~~of an election year, if the statewide presidential preference primary election is scheduled on the second Saturday in February of the presidential election year, or on the third Saturday in February of an election year, if the statewide presidential preference primary election is scheduled on the third Saturday in February~~ of the presidential election year.

(2) General elections for municipal and ward officers who are not elected at the same time as the governor or members of congress shall be held on the fourth Saturday after the first Saturday in April of an election year unless the primary election for such officers is held on the ~~second or~~ third Saturday after the first Tuesday in ~~February~~ March; in such case, the general election shall be held on the fourth Saturday after the ~~second or~~ third Saturday after the first Tuesday in ~~February~~ March~~, as the case may be,~~ of an election year.

* * *

E. Special elections to fill newly created office or vacancy in office. An election to fill a newly created office or vacancy in an existing office, except the office of state legislator or representative in congress, shall be held on the dates fixed by the appropriate authority in the proclamation ordering a special election as follows:

(1) A special primary election shall be held on the first of the following days that is not less than eleven weeks after the date on which the proclamation calling the special primary election was issued:

* * *

(c) The first Saturday in April, when the special general election is held on the fourth Saturday after the first Saturday in April or on the ~~second or~~ third Saturday after the first Tuesday in ~~February~~ March during the presidential election year~~, if the statewide presidential preference primary election is scheduled on the second or third Saturday in February of the presidential election year~~; however, commencing in 1986

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and every fourth year thereafter, this date shall not be applicable in a parish containing a municipality with a population of three hundred thousand or more.

* * *

(2) A special general election shall be held on one of the following days:

* * *

(c) The fourth Saturday after the first Saturday in April of any year unless the primary election is held on the ~~second or~~ third Saturday after the first Tuesday in ~~February~~ March; in such case, the general election shall be held on the fourth Saturday after the ~~second or~~ third Saturday after the first Tuesday in ~~February~~ March~~,~~ ~~as the case may be~~; however, commencing in 1986 and every fourth year thereafter, this date shall not be applicable in a parish containing a municipality with a population of three hundred thousand or more.

* * *

F. Bond, tax, or other elections. Every bond, tax, or other election at which a proposition or question is to be submitted to the voters shall be held only on one of the following dates:

* * *

(3) The first Saturday in April or the fourth Saturday after the first Saturday in April of any year or on the ~~second or~~ third Saturday after the first Tuesday in ~~February~~ March or the fourth Saturday after the ~~second or~~ third Saturday after the first Tuesday in ~~February~~ March~~, as the case may be,~~ during the presidential election year~~, if the statewide presidential preference primary election is scheduled on the second or third Saturday in February of the presidential election year~~; however, commencing in 1994 and every fourth year thereafter, the first Saturday in April shall not be applicable in a parish containing a municipality with a population of three hundred thousand or more.

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§467. Opening of qualifying period

The qualifying period for candidates in a primary election shall open:

* * *

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(3) For candidates in a primary election for municipal and ward officers who are not elected at the same time as the governor or members of congress in municipalities with a population of less than four hundred seventy-five thousand and those in any special primary election to be held at the same time, on the second Wednesday in February of the year of the election, unless the primary election is held on the ~~second or~~ third Saturday after the first Tuesday in ~~February~~ March; in such case the qualifying period for candidates in such primary election shall open on the ~~second~~ first Wednesday in December of the year prior to the election.

* * *

§1280.21. Presidential preference primary election

A. A statewide presidential preference primary election shall be held on the ~~second~~ third Saturday after the first Tuesday in ~~February~~ March in ~~2008~~ 2012 and every fourth year thereafter for the purpose of allowing the electors of each political party in the state which has forty thousand or more registered members to express their preference for a person to be the nominee of the party for president of the United States~~, except when a legal holiday falls on the second Tuesday of February, in which case, the presidential preference primary election shall be held on the third Saturday in February~~.

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§1280.22. Candidates; procedure for qualifying

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B.(1) The qualifying period for presidential candidates shall open on the ~~second~~ first Wednesday in December and shall close at 5:00 p.m. on the following Friday. During the qualifying period, presidential candidates shall file notices of candidacy with the secretary of state.

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Section 2. Each member of a parish executive committee or state central committee of a recognized political party serving on the effective date of this Act shall serve until his successor is elected and takes office.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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