

Regular Session, 2012

HOUSE BILL NO. 894

BY REPRESENTATIVE TIM BURNS

ELECTIONS: Provides relative to elections

1 AN ACT

2 To amend and reenact R.S. 18:402(B)(2), (E)(1)(introductory paragraph) and (b) and (2)(b),
3 and (F)(2), 1272(A), 1285(B)(1)(a), and 1300(C)(1), relative to elections; to provide
4 for election dates; to provide for certain deadlines relative to special elections and
5 bond, tax, and other elections at which a proposition or question is to be submitted
6 to the voters; to provide for effectiveness; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:402(B)(2), (E)(1)(introductory paragraph) and (b) and (2)(b), and
9 (F)(2) and 1272(A) are hereby amended and reenacted to read as follows:

10 §402. Dates of primary and general elections

11 * * *

12 B. Congressional elections. Elections for members of congress and officers
13 elected at the same time as members of congress shall be held every two years,
14 beginning in 1982.

15 * * *

16 (2) General elections for members of congress and officers elected at the
17 same time as members of congress shall be held on the ~~first~~ fifth Saturday in
18 ~~December~~ after the first Tuesday after the first Monday in November of an election
19 year.

20 * * *

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

5 (1) A special primary election shall be held on the first of the following days
6 that is ~~not less than eleven weeks~~ after the date on which the proclamation calling the
7 special primary election was issued, provided that the proclamation was issued at
8 least four weeks prior to the opening of the qualifying period for the special primary
9 election:

10 * * *

11 (b) The first Tuesday after the first Monday in November, when the special
12 general election is held on the ~~first fifth~~ Saturday in December after the first Tuesday
13 after the first Monday in November.

14 * * *

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

16 * * *

17 (b) The ~~first fifth~~ Saturday in December after the first Tuesday after the first
18 Monday in November of even-numbered years.

19 * * *

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

23 * * *

24 (2) ~~The first Saturday in October or the~~ The first Tuesday after the first
25 Monday in November or the fifth Saturday after the first Tuesday after the first
26 Monday in November of even-numbered years.

27 * * *

1 §1272. United States senators; representatives in congress; time of electing

2 A. All general elections for representatives in congress shall be held on the
3 ~~first fifth~~ Saturday in December, after the first Tuesday after the first Monday in
4 November in even-numbered years. The primary election shall be held on the first
5 Tuesday after the first Monday in November of an election year.

6 * * *

7 Section 2. R.S. 18:1285(B)(1)(a) and 1300(C)(1) are hereby amended and reenacted
8 to read as follows:

9 §1285. Notice of election

10 * * *

11 B.(1)(a) Written notice of the election and the certificate required by
12 Subparagraph (b) of this Paragraph shall be transmitted to the secretary of state and
13 each clerk of court and registrar of voters in the area affected by the election. If the
14 election is to be held on a primary election date, then such notice and certificate shall
15 be received by the secretary of state ~~on or before the seventy-first day~~ at least four
16 weeks prior to the opening of the qualifying period for the primary election. If the
17 election is not to be held on a primary election date, then the notice and certificate
18 shall be received by the secretary of state on or before the forty-sixth day prior to the
19 election. The secretary of state shall not accept any revisions to propositions,
20 including but not limited to changes in title, text, or numerical designations, after the
21 last day for submission of the notice and certificate to the secretary of state.

22 * * *

23 §1300. Procedures; notice of election; expenses

24 * * *

25 C.(1) When an election is called under the provisions of this Chapter, written
26 notice of the election shall be transmitted to the secretary of state, the commissioner
27 of elections, and each clerk of court and registrar of voters in the area affected by the
28 election. If the election is to be held on a primary election date, then such notice
29 shall be received by the secretary of state ~~on or before the seventy-first day~~ at least

issued at least four weeks prior to the opening of the qualifying period for the special primary election. Otherwise retains present law.

Present law provides procedures for the conduct of elections to authorize the issuance of bonds, the assumption of indebtedness, and the imposition or increase of taxes by political subdivisions. Requires, among other things, publication of a notice of the election and that the notice and certification of approval by the La. State Bond Commission be transmitted to the secretary of state and each clerk of court and registrar of voters in the area affected by the election. Proposed law retains present law.

Present law provides that if the election is to be held on a primary election date, such notice and certificate shall be received by the secretary of state on or before the 71st day prior to the primary election. Proposed law provides instead that the notice must be received by the secretary of state at least four weeks prior to the opening of the qualifying period for the primary election.

Present law provides procedures to be used in elections (except bond and tax elections) at which a proposition or question is submitted to the voters. Requires, among other things, written notice of the election to be transmitted to the secretary of state, the commissioner of elections, and each clerk of court and registrar of voters in the area affected by the election. Proposed law retains present law.

Present law provides that if the election is to be held on a primary election date, such notice shall be received by the secretary of state on or before the 71st day prior to the primary election. Proposed law provides instead that the notice must be received by the secretary of state at least four weeks prior to the opening of the qualifying period for the primary election.

Effective upon signature of governor or lapse of time for gubernatorial action, except that provisions relative to bond, tax, and other elections at which a proposition or question is submitted to the voters are effective Jan. 1, 2013.

(Amends R.S. 18:402(B)(2), (E)(1)(intro. para.) and (b) and (2)(b), and (F)(2), 1272(A), 1285(B)(1)(a), and 1300(C)(1))

Summary of Amendments Adopted by House

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

1. Changes the dates in proposed law of congressional general elections and elections held at the same time from the second Sat. in Dec. to the fifth Sat. after the first Tues. after the first Mon. in Nov.