SLS 13RS-463 ENGROSSED

Regular Session, 2013

SENATE BILL NO. 191

1

BY SENATORS MORRELL AND MURRAY AND REPRESENTATIVES BROSSETT AND LEGER

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

ELECTION DAYS. Changes the dates for municipal and parochial elections, inaugurations, and qualifying periods, in certain parishes. (see Act)

AN ACT

2	To amend and reenact R.S. 18:402(D), (E)(1)(e) and (2)(e), and (F)(6), 467(4), and 514
3	relative to parochial and municipal elections in certain parishes; to provide relative
4	to the qualifying period, the dates for primary, general, special, bond, tax or other
5	elections and inauguration; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 18:402(D), (E)(1)(e) and (2)(e), and (F)(6), and 467(4) are hereby
8	amended and reenacted to read as follows:
9	§402. Dates of primary and general elections
10	* * *
11	D. Parochial and municipal elections in a parish containing a municipality
12	with a population of three hundred thousand or more. Elections for parochial and
13	municipal officers in a parish containing a municipality with a population of three
14	hundred thousand or more shall be held every four years, beginning in 2006 2017
15	as follows:
16	(1) Primary elections for parochial and municipal officers shall be held on the
17	first third Saturday in February October of an election year.

1	(2) General elections for parochial and municipal officers shall be held on the
2	fourth Saturday after the first third Saturday in February October of an election
3	year.
4	E. Special elections to fill newly created office or vacancy in office. An
5	election to fill a newly created office or vacancy in an existing office, except the
6	office of state legislator or representative in congress, shall be held on the dates fixed
7	by the appropriate authority in the proclamation ordering a special election as
8	follows:
9	(1) A special primary election shall be held on the first of the following days
10	that is after the date on which the proclamation calling the special primary election
11	was issued, provided that the proclamation was issued at least four weeks prior to the
12	opening of the qualifying period for the special primary election:
13	* * *
14	(e) The first third Saturday in February October of an election year for
15	parish and municipal officers in a parish containing a municipality with a population
16	of three hundred thousand or more.
17	(2) A special general election shall be held on one of the following days:
18	* * *
19	(e) The fourth Saturday after the first third Saturday in February October
20	in a parish containing a municipality with a population of three hundred thousand or
21	more, when the special primary election in such parish and municipality is held on
22	the first third Saturday in February October of an election year for parish and
23	municipal officers.
24	* * *
25	F. Bond, tax, or other elections. Every bond, tax, or other election at which
26	a proposition or question is to be submitted to the voters shall be held only on one
27	of the following dates:
28	* * *
29	(6) For a parish containing a municipality with a population of three hundred

1 thousand or more, the first third Saturday in February October or the fourth 2 Saturday after the first third Saturday in February October in 1986 2017 and every 3 fourth year thereafter. §467. Opening of qualifying period 5 6 The qualifying period for candidates in a primary election shall open: 7 8 (4) For candidates in a primary election for parochial and municipal officers 9 in a parish containing a municipality with a population of three hundred thousand or 10 more and in which the municipal and parochial elections are held at the same time, 11 on the second Wednesday in December preceding **August in** the year of the election. 12 13 Section 2. R.S. 18:514 is hereby amended and reenacted to read as follows: 14 §514. Parish with municipality population of three hundred thousand or more; municipal and parochial officers; date of taking office 15 All elected parochial and municipal officers in a parish containing a 16 municipality with a population of three hundred thousand or more shall take office 17 on the first third Monday in May of 1982 January of 2022 and each four years 18 19 thereafter. Section 3. Section 1 of this Act shall become effective on January 1, 2015. 20 21 Section 4. Section 2 of this Act shall become effective on January 1, 2019. The original instrument was prepared by Cathy R. Wells. The following digest, which does not constitute a part of the legislative instrument, was prepared by Tim Prather.

DIGEST

Morrell (SB 191)

<u>Present law</u> relative to parochial and municipal elections in a parish containing a municipality with a population of 300,000 or more, requires elections for parochial and municipal offices and qualifying periods to be held every four years, beginning in 2006 as follows:

(1) Primary elections for parochial and municipal officers will be held on the first Saturday in February of an election year.

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Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

(2) General elections for parochial and municipal officers will be held on the fourth Saturday after the first Saturday in February of an election year.

- (3) The qualifying period for candidates in a primary election will start on the second Wednesday in December of an election year.
- (4) Special primary elections will be held on the first Saturday in February of an election year for parish and municipal officers in a parish containing a municipality with a population of three hundred thousand or more.
- (5) Special general election shall be held on the fourth Saturday after the first Saturday in February in a parish containing a municipality with a population of three hundred thousand or more, when the special primary election in such parish and municipality is held on the first Saturday in February of an election year for parish and municipal officers.
- (6) Bond, tax, or other election at which a proposition or question is to be submitted to the voters will be held for a parish containing a municipality with a population of three hundred thousand or more, on the first Saturday in February or the fourth Saturday after the first Saturday in February in 1986 and every fourth year thereafter.

<u>Proposed law</u> changes the dates of election and qualifying periods beginning in 2015 as follows:

- (1) Primary elections for parochial and municipal officers will be held on the third Saturday in October of an election year.
- (2) General elections for parochial and municipal officers will be held on the fourth Saturday after the third Saturday in October of an election year.
- (3) The qualifying period for candidates in a primary election will start on the second Wednesday in August of an election year.
- (4) Special primary election will be held on the third Saturday in October of an election year for parish and municipal officers in a parish containing a municipality with a population of three hundred thousand or more.
- (5) Special general election will be held on the fourth Saturday after the third Saturday in October in a parish containing a municipality with a population of three hundred thousand or more, when the special primary election in such parish and municipality is held on the third Saturday in October of an election year for parish and municipal officers.
- (6) Bond, tax, or other election at which a proposition or question is to be submitted to the voters will be held for a parish containing a municipality with a population of three hundred thousand or more, on the third Saturday in October or the fourth Saturday after the third Saturday in October in 2017 and every fourth year thereafter.

<u>Present law</u> relative to parochial and municipal elections in a parish containing a municipality with a population of 300,000 or more, requires municipal and parochial officers to take office on the first Monday in May and each four years thereafter.

<u>Proposed law</u> changes the date municipal and parochial officers to take office to the third Monday in May beginning in 2022 and each four years thereafter.

(Amends R.S. 18:402(D), (E)(1)(e) and (2)(e), and (F)(6), 467(4), and 514)

Summary of Amendments Adopted by Senate

<u>Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill</u>

1. Adds dates for special, bond, tax and other elections.