

2016 Regular Session

HOUSE BILL NO. 1139 (Substitute for House Bill No. 156 by Representative Richard)

BY REPRESENTATIVE RICHARD

LEGISLATIVE SESSIONS: Provides relative to regular legislative sessions

1 AN ACT

2 To amend Article III, Section 2(A) of the Constitution of Louisiana, to provide relative to
3 legislative sessions; to provide for the length and date of convening of regular
4 sessions; to provide relative to the prefiling of instruments in a regular session; to
5 provide deadlines for introducing and considering certain matters in a regular
6 session; to remove subject matter restrictions for matters that may be introduced,
7 considered, and enacted in a regular session; to provide for submission of the
8 proposed amendment to the electors; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

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

14 §2. Sessions

15 Section 2.(A) Annual Session. (1) The legislature shall meet annually in
16 regular session for a limited number of legislative days in the state capital. A
17 legislative day is a calendar day on which either house is in session.

18 (2)(a) No member of the legislature may introduce more than five bills that
19 were not prefiled, except as provided in the joint rules of the legislature.

1 (b) Except as provided in Subsubparagraph (c) of this Subparagraph, any bill
2 that is to be prefiled for introduction in either house shall be prefiled no later than
3 five o'clock in the evening of the tenth calendar day prior to the first day of a regular
4 session.

5 (c) Any bill to effect any change in laws relating to any retirement system
6 for public employees that is to be prefiled for introduction in either house shall be
7 prefiled no later than five o'clock in the evening of the forty-fifth calendar day prior
8 to the first day of a regular session.

9 (d) The legislature is authorized to provide by joint rule for the procedures
10 for passage of duplicate or companion instruments.

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

23 (b) ~~No measure levying or authorizing a new tax by the state or by any~~
24 ~~statewide political subdivision whose boundaries are coterminous with the state;~~
25 ~~increasing an existing tax by the state or by any statewide political subdivision~~
26 ~~whose boundaries are coterminous with the state; or legislating with regard to tax~~
27 ~~exemptions, exclusions, deductions or credits, shall be introduced or enacted during~~
28 ~~a regular session held in an even-numbered year.~~

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

12 ~~(b) During any session convening in an odd-numbered year, no matter~~
13 ~~intended to have the effect of law, including any suspension of law, shall be~~
14 ~~introduced or considered unless its object is to enact the General Appropriation Bill;~~
15 ~~enact the comprehensive capital budget; make an appropriation; levy or authorize a~~
16 ~~new tax; increase an existing tax; levy, authorize, increase, decrease, or repeal a fee;~~
17 ~~dedicate revenue; legislate with regard to tax exemptions, exclusions, deductions,~~
18 ~~reductions, repeals, or credits; or legislate with regard to the issuance of bonds. In~~
19 ~~addition, a matter intended to have the effect of law, including a measure proposing~~
20 ~~a suspension of law, which is not within the subject matter restrictions provided in~~
21 ~~this Subparagraph may be considered at any such session if:~~

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

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

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1 Section 2. Be it further resolved that this proposed amendment shall be submitted
2 to the electors of the state of Louisiana at the statewide election to be held on November 8,
3 2016.

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

8 Do you support an amendment to shorten the maximum length of a regular
9 session in an even-numbered year from sixty legislative days in eighty-five
10 calendar days to forty-five legislative days in sixty calendar days, to make
11 related changes to deadlines for introducing and considering certain matters
12 in such sessions, and to move the date on which such sessions convene from
13 the second Monday in March to the second Monday in April, all to be the
14 same as regular sessions in odd-numbered years, and to remove subject
15 matter restrictions for matters that may be introduced, considered, and
16 enacted in any regular session? (Amends Article III, Section 2(A))

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 1139 Original

2016 Regular Session

Richard

Abstract: Shortens the maximum length of regular sessions in even-numbered years and removes subject matter restrictions for matters in regular sessions.

Present constitution provides that regular sessions in odd-numbered years convene at noon on the second Mon. in April and last for no more than 45 legislative days in a period of 60 calendar days. Provides related deadlines for introducing and considering certain matters.

Proposed constitutional amendment retains present constitution.

Present constitution provides that regular sessions in even-numbered years convene at noon on the second Mon. in March and last for no more than 60 legislative days in a period of 85 calendar days. Provides for related deadlines for introducing and considering certain matters.

Proposed constitutional amendment shortens the maximum length of regular sessions in even-numbered years from 60 legislative days in 85 calendar days to 45 legislative days in 60 calendar days, makes related changes to deadlines for introducing and considering certain

matters in those sessions, and moves the date on which the session convenes, all to be the same as regular sessions in odd-numbered years.

Present constitution relative to regular sessions in odd-numbered years limits the introduction of matters to certain specified fiscal matters; provides exceptions for local and special matters and for up to five general matters that are prefiled. Provides that regular sessions in even-numbered years are general in nature. Prohibits the introduction of certain specified measures involving certain taxes.

Proposed constitutional amendment repeals present constitution.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 8, 2016.

(Amends Const. Art. III, § 2(A))