



2010 REGULAR SESSION INFORMATION BULLETIN

**Convenes at noon on Monday, March 29, 2010
Final Adjournment no later than 6:00 pm on Monday, June 21, 2010**

(1) Subject Matter (Const. Art. III, §2(A)(3)(b))	General in nature; however, no measure levying or authorizing a new STATE tax, increasing an existing STATE tax, or legislating with regard to STATE tax exemptions, exclusions, deductions, or credits shall be introduced or enacted.
(2) Convening and Final Adjournment (Const. Art. III, §2(A)(3)(a))	Convenes Noon, Monday, March 29, 2010; adjourns no later than 6:00 p.m. on Monday June 21, 2010
(3) Length of Session (Const. Art. III, §2(A)(3)(a))	Maximum 60 legislative days during an 85 calendar-day period
(4) Constitutional Amendments (Const. Art. XIII, §1(A))	Must be REQUESTED not later than 48 hours prior to prefiling deadline and PREFILED not later than Thursday, March 18. (House computes in hours and will accept until noon Friday, March 19.) <i>See Note 1.</i>
(5) Bills (Const. Art. III, §2(A)(2))	Must be REQUESTED not later than 48 hours prior to prefiling deadline and PREFILED not later than 5:00 p.m. , Friday, March 19. A member may introduce no more than five additional bills REQUESTED not later than 6:00 p.m. on the day prior to the introduction deadline and INTRODUCED not later than 6:00 p.m. , Tuesday, April 20. <i>See Note 2.</i>
(6) Advertisement of local and retirement bills (Const. Art. III, §13 and Art. X, §29(C))	Publication on two separate days at least 30 days prior to introduction. <i>See Note 3.</i>
(7) Compensation notices Sheriffs (R.S. 33:1421(E)) School Board members (R.S. 17:56(D)) Registrar of Voters and confidential assistants (R.S. 18:55(B) and 59(D))	Publication on two separate days at least 30 days prior to introduction. <i>See Note 3.</i>
(8) (a) Assessor's salary or other emolument notice (R.S. 47:1907.1) (b) Assessor's expense allowance notice (R.S. 47:1908(D))	Publication on two separate days at least 30 days prior to introduction. <i>See Note 3.</i> Last day to mail notice to school board and governing authority of each affected parish - March 18 <i>See Note 3.</i>
(9) Deadline for 3rd Reading/Final Passage (Const. Art. III, §2(A)(3)(a))	6:00 p.m. of the 57th legislative day or the 82nd calendar day (June 18), whichever occurs first. (Thereafter, if authorized by 2/3 vote of both houses.)
(10) Effective date of Acts (a) Statutes (Const. Art. III, §19) (b) Constitutional Amendments (Const. Art. XIII, §1(C))	August 15, 2010, unless bill otherwise specifically provides. 20 days after governor's proclamation of the election results by which adopted, unless amendment otherwise specifically provides.

CONSTITUTIONAL OR STATUTORY REQUIREMENTS WITH RESPECT TO DATES AND LEGISLATIVE INSTRUMENTS

1. **CONSTITUTIONAL AMENDMENTS:** Must be REQUESTED (received by House Legislative Services or Senate Legislative Services) not later than 48-hours prior to the prefiling deadline (House Rule 7.2(F) and Senate Rule 9.1(C)) and PREFILED at least 10 days before session begins (Thursday, March 18 for the Senate). House computes in 24-hour segments and therefore will accept until 12:00 noon on Friday, March 19 (Const. Art. XIII, §1(A)).
2. **DEADLINES FOR REQUESTING, PREFILING AND INTRODUCTION OF BILLS:**
 - (a) Bills must be REQUESTED (received by House Legislative Services or Senate Legislative Services) not later than 48-hours prior to the prefiling deadline (House Rule 7.2(F) and Senate Rule 9.1(C)) and

PREFILED not later than 5:00 p.m., Friday, March 19 (Const. Art. III, §2(A)(2)).

- (b) A member may introduce no more than five bills which were not prefiled. Bills must be REQUESTED (received by House Legislative Services or Senate Legislative Services) not later than 6:00 p.m. on the day prior to the introduction deadline (House Rule 7.6(A)(3) and Senate Rule 7.6)(K)) and INTRODUCED not later than 6:00 p.m., Tuesday, April 20 (Const. Art. III, §2(A)(3)(a)). Late introductions are not permitted. Joint Rule No. 18 provides that the following bills are not subject to this five-bill limit: general appropriation bill, judicial branch appropriation, legislative branch appropriation, capital outlay bill, omnibus bond authorization bill, supplemental appropriations bill, revenue sharing bill, and ancillary funds bill.

SENATE BILLS will be accepted for prefiling on or before Friday, March 19 if the Senate receives proof that notice has been published and that 30 days after the last publication date will expire prior to the first day for introduction of bills (Monday, March 29).

HOUSE BILLS will be accepted for prefiling on or before Friday, March 19 if the House receives proof that notice has been published and that 30 days after the last publication date will expire prior to the last day for introduction of bills (Tuesday, April 20).

3. NOTICE OF INTENTION TO INTRODUCE CERTAIN KINDS OF BILLS:

- (a) **LOCAL BILLS:** Notice MUST be published on TWO separate days AT LEAST 30 DAYS BEFORE INTRODUCTION, without cost to the state, in the official journal of the locality. The publication need not be on consecutive days, but must be on two separate days. **Last two days to advertise in 2010 are February 25 and February 26 for introduction on first day of session.** (If NOT prefiled, last dates are March 19 and 20.) *Newspaper publication days, weekly journals, and other newspaper deadlines may require earlier submission to paper.* Notice must state substance of the bill and bill MUST recite that notice was published. If so instructed by author, staff will send notice to newspaper and obtain certification of publication for attachment to the bill. The newspaper will bill costs of publication directly to the author or person specified by author. If advertisement is handled locally, author should obtain certification from newspaper and transmit to Clerk or staff.
- (b) **RETIREMENT BILLS:** Handled in same manner as local bills (see (a)), except notice must be published in official state journal (*Baton Rouge Advocate*). The author or person the author specifies will be charged directly by the *Advocate* for the cost of publication. If bill affects only a city or other strictly local retirement system, LOCAL NOTICE also is necessary, as set forth in (a) above.
- (c) **ASSESSORS' EXPENSE ALLOWANCES:** R.S. 47:1908(D) prohibits change in the allowance unless notice of intent to do so is sent BY CERTIFIED MAIL BY THE ASSESSOR TO THE SCHOOL BOARD AND PARISH GOVERNING AUTHORITY AFFECTED, stating the amount of the change. Notice must be sent at least 10 days prior to the CONVENING of the legislative session. Evidence of notice must be exhibited to the legislature before passage of the bill. Bill must recite that notice was given. Last day to give notice in 2010 is Thursday, March 18. Author should obtain evidence of notice from assessor.
- (d) **ASSESSORS' COMPENSATION (R.S. 47:1907.1) SHERIFFS' COMPENSATION, (R.S. 33:1421(E)), SCHOOL BOARD MEMBERS' COMPENSATION (R.S. 17:56(D)), AND PARISH PORTION OF REGISTRARS' OF VOTERS COMPENSATION (R.S. 18:55(B) AND 59(D)):** The Sections cited prohibit introduction of a bill to change the compensation of an assessor, sheriff, and school board member, and the parish portion of the salary of a registrar of voters or a chief deputy registrar or a confidential assistant to a registrar unless notice has been published on two separate days at least 30 days before introduction, without cost to the state, in the official journal of the parish. If all assessors, sheriffs, or school board members (but not registrars of voters or their chief deputies or assistants) in the state are affected, then notice must **also** be published on two separate days at least 30 days before introduction without cost to the state in the official state journal (*Baton Rouge Advocate*). The notice (except registrars and their chief deputies or assistants) must state the amount of the change. The bill (except registrars, their chief deputies, or assistants) must recite that notice has been given, and certification of such publication must be attached to the bill. If advertisement is handled locally, author should obtain certification and transmit to Clerk or staff. If the author wishes, staff will send notice to newspaper and obtain certification of publication for attachment to the bill. The newspaper will bill costs of publication directly to the author or person author specifies.

4. PREFILING OF BILLS AND RESOLUTIONS:

(a) HOUSE

Bills, joint resolutions (constitutional amendments), and simple or concurrent resolutions may be prefiled with the Clerk of the House at any time between regular sessions for introduction at either of the next two regular sessions. (No bills may be prefiled for the regular session after a general election for legislators until after promulgation of the election returns and no bills may be prefiled for any session between the convening of the last regular session prior to the general election for legislators and promulgation of the election returns.) House research staff will transmit legislative instruments to the Clerk of the House for prefiling upon direction of the author. Such direction need not be in writing. The Clerk numbers them in order in which received and reproduces them for distribution to members, news media, and others. The Speaker refers each prefiled instrument to committee and notifies author. Referrals of bills prefiled prior to one week before the session convenes are entered in the Interim Calendar. Within five days after publication of referral in Interim Calendar, any member may notify the Speaker IN WRITING of his objection to the committee referral, stating reasons. House and Governmental Affairs Committee then determines the committee to which the bill will be referred. Standing committees may hold pre-session hearings on prefiled instruments. (House Rule 7.2)

SENATE

All legislative instruments must be finally prepared by Senate staff prior to its introduction in the Senate. The staff will draft, or receive, and transmit legislative instruments to the Senate Secretary for prefiling, upon WRITTEN direction of author. Legislative instruments may be prefiled with the Senate Secretary AT ANY TIME.

- (b) Interim Calendars are mailed to members by respective houses under their rules. Prefiled bills are mailed to members upon request. (House Rule 12.7 and Senate Rule 14.7)
5. **FISCAL NOTES:** Every bill, joint resolution, and simple or concurrent resolution affecting the receipt, expenditure, or allocation of funds of the state or of a political subdivision, or which would authorize issuance of general obligation bonds or other general obligations of the state for capital outlay, must have attached to it, prior to committee consideration, a fiscal note giving a reliable estimate of the fiscal effect of the measure. House rules also require fiscal notes for consideration of such instruments on final passage. The author of a bill is responsible for obtaining fiscal note from legislative fiscal officer. Staff will request fiscal note on behalf of author upon request. When author receives bill draft from staff with memo that bill may require fiscal note, author returns form instructing the House Clerk or Senate Secretary to request or not to request fiscal note. Instructions received within seven days will be followed until prefiling or introduction. If no response is made within seven days, the House Clerk or Senate Secretary will order a fiscal note if he decides one is required. In addition, the chairman of the committee to which the measure is referred may request a fiscal note immediately upon referral of the measure, and the House Clerk or the Senate Secretary may request a fiscal note upon prefiling or introduction of the measure. A measure requiring a fiscal note which is reported by a House committee without a fiscal note must be returned to the calendar and the House rules require that the Clerk of the House requests a fiscal note. Under House rules, the Clerk of the House determines the need for a fiscal note, upon recommendation of House Legislative Services staff. (Joint Rule 4, House Rule 7.16, and Senate Rule 7.14)
6. **ACTUARIAL NOTES:** Every bill, joint resolution, and simple or concurrent resolution proposing a change in the law as to any state, municipal, or parochial retirement system funded in whole or part from public funds must have an actuarial note attached to it at the time of committee consideration. Legislative Actuary prepares actuarial notes (R.S. 24:521). The staff will request actuarial note on behalf of author. Procedure is similar to fiscal notes.
7. **APPROPRIATIONS TO PAY JUDGMENTS AGAINST STATE:** Appropriations Committee requires a certified copy of final judgment and proof of finality of judgment before any committee action on any such bill. The House Appropriations Committee, pursuant to House Resolution No. 15 of the 1987 Regular Session requires that the Clerk of the House be furnished with the attorney's name or names in the suit, the fees involved, and any other pertinent information prior to consideration of the bill for final passage.
8. **MISCELLANEOUS REQUIREMENTS REGARDING STATUTORY ENACTMENTS.**

(a) *New Judgeships.*

R.S. 13:61 - Judicial Council of the Supreme Court of Louisiana determines necessity of creating any new judgeship and provides information to appropriate legislative standing committee as to the necessity of creating a new judgeship.

*Requests for new judgeships should be submitted to the Judicial Council by **October 1st, 5:00 pm.***

(b) *New court cost or fee or increase in existing court cost or fee.*

R.S. 13:62 - No enactment of a law providing for a new court cost or fee or to increase an existing court cost or fee unless first submitted to the Judicial Council of the Supreme Court for review and recommendation to the legislature.

*Requests involving court costs should be submitted to the Judicial Council by **October 1st, 5:00 pm.***

(c) *New Assistant District Attorneys.*

R.S. 16:54 - creates the Governor's Advisory and Review Commission on Assistant District Attorneys within the office of the governor. Determines necessity for additional assistant district attorneys in each judicial district and prohibits payment of state portion of compensation for such position unless approved by the commission.

(d) *Mandated Health Insurance Benefits.*

R.S. 24:603.1 - Prior to consideration by legislative committee, an impact report is to be attached to any instrument imposing a health insurance mandate. Impact report to include reliable estimate of the negative or positive fiscal effect of such measure, including costs and savings.