
DIGEST

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HB 339 Original

2017 Regular Session

Danahay

Abstract: Provides relative to elections held to determine whether the sale of alcoholic beverages will be conducted and licensed in an area.

Present law (R.S. 26:581 et seq.) provides procedures and requirements for elections held to determine whether the sale of alcoholic beverages will be conducted and licensed in an area. Provides that upon petition of not less than 25% of the qualified electors residing in any ward, election district, or any incorporated municipality, the governing authority shall order a referendum election to be held to determine whether or not the business of selling alcoholic beverages shall be conducted and licensed therein. Provides for the form of the petition and requires the registrar of voters to file a verification of the petition with the governing authority responsible for calling the election.

Present law (R.S. 26:587) provides that if the petition conforms to all the provisions of present law (R.S. 26:581 et seq.), the governing authority shall order the election. Requires the ordinance or resolution of the governing authority ordering the election to be adopted at the next meeting held after the verification was filed with the governing authority by the registrar of voters. Provides that the date fixed for the election shall be the next date on which such an election may be held, as provided for in present law (R.S. 18:402(F)).

Proposed law retains present law

Present law provides additionally that the date on which the election is to be held must be more than 45 days after the date verification was filed with the governing authority by the registrar of voters.

Proposed law repeals present law. Provides that written notice of the election shall be transmitted to the secretary of state and each clerk of court and registrar of voters in the area affected by the election. Provides that if the election is to be held on a primary election date, then such notice shall be received by the secretary of state at least four weeks prior to the opening of the qualifying period for the primary election. Provides that if the election is not to be held on a primary election date, then the notice shall be received by the secretary of state on or before the 54th day prior to the election. Provides further that the secretary of state shall not accept any revisions to propositions, including but not limited to changes in title, text, or numerical designations, after the last day for submission of the notice to the secretary of state.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 26:587(C))