2018 Regular Session

HOUSE BILL NO. 317

BY REPRESENTATIVE ROBBY CARTER

MUNICIPAL/LAWRASON ACT: Provides for changes to the election dates for certain
Lawrason Act municipalities

1   AN ACT

2   To amend and reenact R.S. 33:383(A)(1) and to enact R.S. 33:383(A)(3), relative to

3   municipal elections in certain Lawrason Act municipalities; to authorize use of the

4   gubernatorial election date for such elections by certain municipalities; to provide

5   relative to procedures for and limitations on such a change of election dates; and to

6   provide for related matters.

7   Be it enacted by the Legislature of Louisiana:

8   Section 1.   R.S. 33:383(A)(1) is hereby amended and reenacted and R.S.

9   33:383(A)(3) is hereby enacted to read as follows:

10   §383. Municipal elections; term of office; filling vacancies; officers holding over

11   under new form of government

12   A.(1) Except as underscored{otherwise} provided ~~in Paragraph (2) of~~ underscored{by} this Subsection

13   and R.S. 33:383.2, municipal elections shall be held every four years on the date for

14   municipal and ward elections in accordance with R.S. 18:402(C). The officers

15   elected shall take office on the first day of July following their election and shall

16   hold their office for four years.

17   *   *   *

18   underscored{(3)(a) Any municipality having a population of between one thousand two}

19   underscored{hundred and two thousand persons within a parish having a population between one}

20   underscored{hundred eighteen thousand and one hundred twenty-five thousand based on the latest}

1   federal decennial census may, by ordinance of the governing authority, adopt a plan

2   for holding municipal elections at the gubernatorial elections in accordance with R.S.

3   18:402(A). Any plan so adopted shall be filed with the secretary of state not less

4   than six months prior to the opening of the qualifying period for the gubernatorial

5   primary election at which municipal officers shall be elected initially under the plan.

6   (b) No such plan shall be revocable by the governing authority.

7   (c) Any municipality that complies with the provisions of this Paragraph may

8   hold municipal elections at the gubernatorial elections in accordance with R.S.

9   18:402(A).

10   (d) The officers elected shall take office on the first day of July following

11   their election and shall hold their office for four years.

12   *   *   *

13   Section 2. This Act shall become effective upon signature by the governor or, if not

14   signed by the governor, upon expiration of the time for bills to become law without signature

15   by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

16   vetoed by the governor and subsequently approved by the legislature, this Act shall become

17   effective on the day following such approval.

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 317 Original   2018 Regular Session   Robby Carter

Abstract: Authorizes certain Lawrason Act municipalities to use the gubernatorial election
        date for their municipal elections.

Present law provides that municipalities with a mayor-board of aldermen form of
government hold municipal elections every four years on the date for municipal and ward
elections in accordance with the election code (the Spring election dates). Provides that the
officers elected take office on the first day of July following their election. Present law
provides, however, that such a municipality may move its municipal elections to the
congressional election date by adopting an ordinance and submitting a plan to the secretary
of state not later than one year prior to the opening of the qualifying period for the
congressional primary election at which municipal officers shall be elected initially.
Provides that such a plan is irrevocable. Provides that officers elected take office on the first
day of Jan. following their election. Proposed law retains present law.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored
are additions.

Proposed law authorizes such a municipality with a population of between 1,200 and 2,000 persons that is within a parish with a population between 118,000 and 125,000 persons to move its municipal elections to the *gubernatorial* election date by adopting an ordinance and submitting a plan to the secretary of state not later than six months prior to the opening of the qualifying period for the gubernatorial primary election at which municipal officers shall be elected initially. Provides that such a plan is irrevocable. Provides that officers elected take office on the first day of July following their election and hold office for four years.

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

(Amends R.S. 33:383(A)(1); Adds R.S. 33:383(A)(3))