

2018 Regular Session

SENATE BILL NO. 329

BY SENATOR CORTEZ

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

CONSTITUTION CONVENTION. Provides for calling a constitutional convention. (gov sig)

1 AN ACT
2 To provide for the calling of a constitutional convention for the purpose of framing a new
3 constitution; to provide for legislative findings; to fix the time and place for the
4 convention; to provide for the qualifications and election and appointment of
5 delegates; to provide for the organization and staff of the convention; to require that
6 the constitution as adopted by the convention, including any alternative provisions,
7 be submitted to the qualified electors for adoption and to provide relative to such
8 submission; to provide for penalties for violations relating to elections; to require
9 appropriation of funds for the convention and provide with respect to convention
10 funds; to fix the effective date of the new constitution if approved by the electorate;
11 and to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. Legislative findings. The legislature finds that:

14 (A) It has been more than forty-three years since the Constitution of Louisiana
15 became effective at midnight on December 31, 1974, and during these years the document
16 which constitutes the state's basic law has been amended some one hundred eighty-nine
17 times.

1 (B) The constitution today contains many provisions that restrict the legislature in
2 effectively addressing state and constituent needs, and the document also includes extensive
3 provisions that are so detailed as to be statutory rather than constitutional in nature and, as
4 a result, require further constitutional amendment when any change is needed.

5 (C) A serious analysis and revision of the state constitution is needed if the state is
6 to conduct a genuine examination of the state's critical needs, to undertake an in-depth
7 consideration of reform proposals, and to craft provisions that allow for flexibility and
8 innovation in legislative solutions to problems of the present and the future.

9 Section 2. Call for convention; delegates. (A) A constitutional convention is hereby
10 called, to convene on January 7, 2019, at noon, which shall be held for the purpose of
11 framing a new constitution for the state of Louisiana subject to the terms, conditions, and
12 provisions in this Act.

13 (B)(1) There shall be one hundred twenty-eight delegates to the convention, as
14 follows:

15 (a) One delegate shall be elected from each of the districts from which members of
16 the House of Representatives of the Louisiana Legislature were elected in 2015.

17 (b) A member appointed with the concurrence of the Public Affairs Research
18 Council of Louisiana, the Louisiana Budget Project, and the Council for a Better Louisiana.

19 (c) A member appointed with the concurrence of the Louisiana Association of
20 Business and Industry and the National Federation of Independent Business.

21 (d) A member appointed with the concurrence of Blueprint Louisiana and the
22 Committee of 100 for Economic Development.

23 (e) A representative of the Louisiana AFL-CIO appointed by the Louisiana
24 AFL-CIO.

25 (f) A member of any Louisiana chapter of the National Association for the
26 Advancement of Colored People appointed by the chairman of the national board of
27 directors of the association.

28 (g) A representative of elected parish officials appointed with the concurrence of the
29 Louisiana Sheriffs' Association, the Louisiana Assessors' Association, and the Louisiana

1 Clerks of Court Association.

2 (h) A representative of local governmental bodies appointed with the concurrence
3 of the Louisiana Municipal Association, the Police Jury Association of Louisiana, and the
4 Louisiana School Boards Association.

5 (i) One representative of the Louisiana State Law Institute appointed by the
6 Louisiana State Law Institute.

7 (j) One member appointed with the concurrence of the Louisiana District Judges
8 Association and the Conference of Court of Appeal Judges.

9 (k) One member appointed by the chief justice of the Louisiana Supreme Court.

10 (l) Four members of the Louisiana House of Representatives appointed by the
11 speaker of the House of Representatives.

12 (m) Four members of the Louisiana Senate appointed by the president of the Senate.

13 (n) Four members appointed by the governor.

14 (o) One representative of the Louisiana Tax Institute appointed by the board of the
15 Louisiana Tax Institute.

16 (2) The secretary of state shall issue a commission to each delegate selected as
17 provided in this Section.

18 (3) Each delegate to the convention shall be an elector of the state of Louisiana, shall
19 be at least eighteen years of age, and shall be a resident of the state of Louisiana. In addition,
20 each delegate elected from a representative district shall be a resident of the district from
21 which he is elected at the time he qualifies as a candidate for election as a delegate.

22 (4) The election or appointment of any public official or public employee as a
23 delegate to the convention and his service in the convention shall not be construed to
24 constitute dual officeholding or dual employment within the prohibitions of Part III of
25 Chapter 2 of Title 42 of the Louisiana Revised Statutes of 1950. However, a delegate elected
26 from a representative district shall be considered an elected official within the scope of and
27 subject to the provisions of Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950.
28 A delegate who is not an elected delegate shall be considered a public employee within the
29 scope of and subject to the provisions of Chapter 15 of Title 42 of the Louisiana Revised

1 Statutes of 1950. For purposes of Chapter 15 of Title 42 of the Louisiana Revised Statutes
2 of 1950, the agency and the governmental entity of delegates and staff members of the
3 convention shall be the convention. For purposes of any other office or employment of any
4 such delegate, committee member, or staff member, the provisions of Chapter 15 of Title 42
5 of the Louisiana Revised Statutes of 1950 shall remain applicable. The delegates to the
6 convention and the staff of the convention shall be subject to the public bribery provisions
7 of the laws of this state.

8 (5) Each candidate for election as a delegate to the constitutional convention and
9 each elected delegate is subject to the provisions of the Campaign Finance Disclosure Act
10 and the office of delegate shall be a district office for the purposes of that Act.

11 (6) Any attorney at law serving as a delegate to the convention shall be entitled to
12 the absolute right of the continuance of any case in which he is bona fide counsel of record
13 in any court of the state during his attendance upon the sessions and work of the convention.

14 (C)(1) The one hundred five delegates to the convention to be elected from
15 representative districts shall be elected at a special election to be held as provided in this Act.
16 The special primary election for such delegates shall be held at the primary election on
17 November 6, 2018, and, if necessary, the special general election for delegates shall be held
18 at a statewide election to be held on December 8, 2018. Not later than June 20, 2018, the
19 governor shall issue a proclamation and give notice of the election to be held under this
20 Section. Each person desiring to become a candidate for election as a delegate from a
21 representative district shall qualify as a candidate from the particular representative district
22 he seeks to represent by filing a statement of candidacy with the clerk of court for the parish
23 in which the candidate is registered to vote during the qualifying period for candidates in the
24 primary election on November 6, 2018, as otherwise provided by law. Qualification as a
25 candidate shall be without regard to party affiliation.

26 (2) The election of a person to the office of delegate shall be in accordance with
27 provisions for the election of candidates for public office in the Louisiana Election Code.

28 Section 3. Conduct of election for elected delegates. (A) Except as otherwise
29 provided in this Act, the primary and general elections for convention delegates shall be

1 conducted and the results thereof published and promulgated in accordance with the
2 Louisiana Election Code. All qualified electors shall be entitled to vote in their respective
3 election precincts without regard to party affiliation. The votes for candidates for the office
4 of delegate shall be tabulated as in the case of candidates for public office.

5 (B) The costs of the elections authorized by this Act for election of delegates shall
6 be paid as provided by the Louisiana Election Code for payment of costs of elections in
7 which a candidate for the state legislature appears on the ballot.

8 (C) All offenses, prosecutions, penalties, and punishments arising out of or in
9 connection with the elections required by this Act shall be governed by the applicable laws
10 of the state.

11 Section 4. Vacancies. In the event of the death or the inability or unwillingness of
12 any elected delegate to serve, whether before or during the convention, the speaker of the
13 House of Representatives, the president of the Senate, and the governor shall fill such
14 vacancy by appointment, by unanimous consent of the three officials, of a person from the
15 same district who possesses the qualifications for delegate. In the event of the death or the
16 inability or unwillingness to serve of any other delegate, the vacancy shall be filled in the
17 same manner as the original selection within thirty days after the vacancy.

18 Section 5. Convention authority; limitations. The convention shall have authority to
19 frame a new constitution for the state, including such alternative provisions as it deems
20 appropriate, which shall be submitted to the electors of the state for their approval or
21 rejection. However, the convention is prohibited from framing any article or provision
22 whereby:

23 (1) The bonded or other indebtedness of the state or of any parish, municipality,
24 district, or other political subdivision or authority of the state would be impaired.

25 (2) The term of office of members of the legislature or of any other elected or of any
26 appointed official of the state or of any political subdivision thereof would be reduced or
27 shortened prior to the expiration of the term of office being held at the time of the adoption
28 of the new constitution, or the salary of any such official would be reduced prior to the
29 expiration of the term of office being held at the time of the adoption of a new constitution.

1 (3) The state capital is removed or could be removed from Baton Rouge.

2 Section 6. Convention organization. (A)(1) The delegates to the convention chosen
3 as provided in this Act shall meet in the House Chamber in the state capitol, or at such other
4 suitable location in the capital city as shall be determined jointly by the presiding officers
5 of the legislature, at noon on Monday, January 7, 2019. The chief justice, or in his absence
6 any associate justice of the supreme court designated by the court, shall attend the
7 convention at the opening thereof and shall preside until the chairman has been elected. The
8 secretary of state shall attend the opening of the convention and call the roll of the delegates,
9 whereupon the temporary presiding officer shall administer to the delegates the following
10 oath:

11 "I, . . . , do solemnly swear (or affirm) that I will support the constitution and laws of
12 the United States and the constitution and laws of this state and that I will faithfully and
13 impartially discharge and perform all the duties incumbent on me as a delegate to the
14 convention, according to the best of my ability and understanding, and that I will observe
15 and obey the limitation of authority contained in the Act under which this convention has
16 assembled. So help me God".

17 (2) No delegate shall be qualified to serve as such unless and until he has taken and
18 subscribed to the oath in Paragraph (1) of this Subsection.

19 (B) After the oath has been administered, the delegates shall proceed to effect the
20 permanent organization of the convention and shall:

21 (1) Adopt rules of procedure for the convention, which rules shall not be inconsistent
22 with the provisions of this Act.

23 (2) Elect from among their number a chairman, a vice chairman, and such other
24 officers as they deem necessary.

25 (3) Elect from among their number an executive committee, the membership of
26 which shall be determined by the delegates but which shall include among its members all
27 of the elected officers of the convention.

28 (4) Select a chief clerical officer of the convention from among the chief clerical
29 officers of the House of Representatives and the Senate and their assistants, who shall not

1 be a delegate and whose duties shall be provided by the rules of procedure for the
2 convention.

3 (5) Take such other actions as they deem necessary to effect a permanent
4 organization of the convention.

5 (C) Prior to the convening of the convention, members of the House of
6 Representatives and Senate staffs as designated by the presiding officers of the legislature
7 shall prepare a draft of rules of procedure for consideration, amendment, and adoption by
8 the convention when it convenes. Such proposed rules shall be based upon the rules of the
9 constitutional convention convened in 1973, except as inconsistent with the provisions of
10 this Act. The rules of procedure adopted by the convention shall be subject to later change
11 as the delegates shall provide therein. No delegate shall be allowed to vote by proxy and the
12 rules shall so provide. No committee of the convention, including the executive committee,
13 shall exceed seventeen members and the rules shall so provide.

14 (D) After completing organizational activities, the convention may meet either as
15 a full body or in committees until it completes its duties as provided in this Act.

16 Section 7. Staff; budget; committees. (A) As soon as possible after the members
17 of the executive committee are elected, the executive committee shall request the provision
18 of professional, research, technical, and clerical employees from any public or private
19 sources the committee deems necessary to accomplish the work of the convention.

20 (B) The staff of the constitutional convention may include but shall not be limited
21 to the following who shall not be delegates to the convention:

22 (1) A director of research who shall possess such qualifications as determined by the
23 committee.

24 (2) Research assistants in such number and possessing such qualifications as
25 determined by the committee.

26 (3) Such other staff as the executive committee deems necessary.

27 (C) Notwithstanding any provision of law to the contrary, if a staff member is
28 engaged in regular, bona fide employment, the staff member may continue to be paid and
29 receive the usual compensation and benefits from his employer while the staff member is

1 engaged in the work of the committee or the convention.

2 (D) As soon as possible after the members of the executive committee are elected,
3 the executive committee shall prepare a budget of anticipated expenses of the convention
4 based on the amount of the appropriation for the convention and any other funds available
5 for expenditure.

6 (E) The executive committee may create and establish such substantive and
7 procedural committees as it deems appropriate. The chairman of the convention shall appoint
8 the chairman, vice chairman, and the membership of each such committee.

9 (F) Unless the legislature is in session, the House chamber and the legislative
10 committee rooms in the state capitol shall be available for use by the convention and its
11 committees. If the facilities at the state capitol are not available or are not sufficient for use
12 by the convention or its committees, the convention or its committees shall meet at a suitable
13 location in the capital city, which location shall be determined by the chairman of the
14 convention, and public notice of the location shall be given and posted at suitable locations
15 in the state capitol. The convention shall have full authority to use the facilities and services
16 of any board, commission, department, or agency of the state or of any political subdivision
17 of the state, and all such entities shall cooperate with the convention to the fullest extent in
18 furnishing services, facilities, and employees upon request. In addition, the convention may
19 use the facilities and services of other persons and organizations.

20 (G) The convention shall have full authority to accept grants, monies, aid, facilities,
21 and services from public or private sources for the purpose of accomplishing its task of
22 framing a new constitution. Any such grants, monies, facilities, services, and donations, as
23 well as the names of the donors thereof, shall be recorded in the record of the proceedings
24 of the convention, and such records shall be open to inspection by any person.

25 (H) The final draft of the proposed constitution shall be completed no later than
26 April 5, 2019.

27 Section 8. Compensation of delegates. No delegate may accept any compensation
28 from any source for work performed as a delegate to the convention. However, if a delegate
29 is engaged in regular, bona fide employment, should the delegate's employer choose to

1 continue to pay the usual compensation while the delegate is engaged in the work of the
2 convention, such delegate may accept that compensation, notwithstanding any provision of
3 law to the contrary.

4 Section 9. Appropriation; use of funds. (A) Any appropriation for the expenses of
5 the convention shall be used solely to defray the necessary expenses of the constitutional
6 convention for which provision is made in this Act, including the payment for supplies,
7 materials, equipment, printing, and reproduction of materials, and all other necessary
8 expenses incurred in connection with the convention and its work.

9 (B) Any funds appropriated for the convention shall be withdrawn from the state
10 treasury in accordance with warrants signed by the chairman of the convention, and all
11 checks for the disbursement of funds shall be signed by the chairman and the vice chairman
12 of the convention or by the chairman or vice chairman and such other person as shall be
13 designated by the convention.

14 (C) The legislature shall make adequate appropriations to the convention for so long
15 as the convention remains in existence and for so long thereafter as is necessary to assure
16 the payment of all expenses incurred in connection with the work of the convention. The
17 convention shall not be deemed to be a budget unit of the state and therefore shall not be
18 subject to the provisions of Chapter 1 of Title 39 of the Louisiana Revised Statutes of 1950.
19 The financial books and records of the convention, however, shall be subject to audit by the
20 legislative auditor.

21 Section 10. Submission of proposed constitution; election. (A) Upon completion
22 of its work, and not later than April 19, 2019, and subject to the limitations provided in
23 Section 5 of this Act, the convention shall submit a proposed draft of a new constitution for
24 the state to the governor. At the discretion of the convention, but subject to the limitations
25 provided in Section 5 of this Act, the convention may also propose and submit at the same
26 time such alternative provisions as it deems appropriate. The constitution as drafted by the
27 convention, together with any alternative provisions proposed for submission, shall be
28 submitted to the people for adoption or rejection. Within fifteen days after submission of
29 the proposed draft to the governor, he shall by proclamation call an election to be held at the

1 same time as the gubernatorial election on October 12, 2019, for the purpose of submitting
2 the proposed draft and any alternative provisions to the people for adoption or rejection.

3 (B) The election shall be held and the results shall be promulgated in accordance
4 with the Louisiana Election Code. All electors duly qualified to vote in the state at the time
5 of the election shall be entitled to vote without regard to party affiliation in their respective
6 precincts on the proposition for or against adoption of the revision and on the question or
7 questions of adoption of such alternative provisions as may be proposed by the convention.
8 The costs of the election shall be paid as provided in the Louisiana Election Code for
9 elections in which a constitutional amendment appears on the ballot.

10 (C) The convention may submit to the electors of the state the proposal of
11 acceptance or rejection of the constitution and any alternative provisions in such form and
12 manner as it may determine and may direct the proper election officials to take the necessary
13 steps to effectuate such determination of the convention in presenting the proposed
14 constitution and any alternative provisions to the electors. Adoption of the constitution and
15 of any such alternative provisions shall require the favorable vote of a majority of the
16 electors voting on the respective proposition.

17 (D) Upon promulgation of the results of the election by the secretary of state, if the
18 constitution is ratified and adopted by the people in the election for which provision is made
19 in this Section, the governor shall proclaim the constitution, including such alternative
20 provisions as are adopted by the people at the election, to be the Constitution of Louisiana.
21 The constitution, including such alternative provisions as are so adopted, shall become
22 effective at midnight on December 31, 2019, except as otherwise provided in the constitution
23 adopted or in any such alternative provisions adopted.

24 Section 11. If any provision or application of this Act that authorizes the convention
25 to consider only certain subject matters and certain provisions of the constitution and
26 prohibits the convention from considering other subject matters and provisions is held
27 invalid, including without limitation any provision of Section 5 of this Act, then this entire
28 Act shall be invalid and of no effect. However, if any other provision of this Act or the
29 application thereof is held invalid, such invalidity shall not affect other provisions or

1 applications of this Act that can be given effect without the invalid provision or application.

2 Section 12. This Act shall become effective upon signature by the governor or, if not
3 signed by the governor, upon expiration of the time for bills to become law without signature
4 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If
5 vetoed by the governor and subsequently approved by the legislature, this Act shall become
6 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Margaret M. Corley.

DIGEST

SB 329 Original

2018 Regular Session

Cortez

Proposed law states legislative findings that there is a need to address a number of key policy areas that require constitutional change, that the constitution restricts the legislature in effectively addressing state and constituent needs, and that a serious analysis and revision of the state constitution is needed to conduct an examination of the state's critical needs, to consider reform proposals, and to craft provisions that allow legislative solutions.

Proposed law provides for a constitutional convention as follows:

- (1) Calls the convention to convene at noon on January 7, 2019, to frame a new constitution for the state, subject to the terms, conditions, and provisions of proposed law.
- (2) Provides for 128 delegates as follows:
 - (a) 105 delegates to be elected from House of Representatives 2015 election districts at the regularly scheduled congressional election in 2018.
 - (b) A member appointed with the concurrence of the Public Affairs Research Council of La., the Louisiana Budget Project, and the Council for a Better Louisiana.
 - (c) A member appointed with the concurrence of the La. Association of Business and Industry and the National Federation of Independent Business.
 - (d) A member appointed with the concurrence of Blueprint La. and the Committee of 100 for Economic Development.
 - (e) A representative of the La. AFL-CIO appointed by the La. AFL-CIO.
 - (f) A member of any La. chapter of the National Association for the Advancement of Colored People appointed by the chairman of the national board of directors of the association.
 - (g) A representative of elected parish officials appointed with the concurrence of the La. Sheriffs' Association, the La. Assessors' Association, and the La. Clerks of Court Association.
 - (h) A representative of local governmental bodies appointed with the concurrence of the La. Municipal Association, the Police Jury Association

of La., and the La. School Boards Association.

- (i) One representative of the La. State Law Institute appointed by the La. State Law Institute.
 - (j) One member appointed with the concurrence of the La. District Judges Association and the Conference of Court of Appeal Judges.
 - (k) One member appointed by the chief justice of the La. Supreme Court.
 - (l) Four members of the La. House of Representatives appointed by the speaker of the House of Representatives.
 - (m) Four members of the La. Senate appointed by the president of the Senate.
 - (n) Four members appointed by the governor.
 - (o) One representative of the Louisiana Tax Institute appointed by the board of the Louisiana Tax Institute.
- (3) Requires that delegates be qualified electors of the state and that elected delegates be residents of the district from which elected. Excludes delegates and staff of the convention from dual employment/dual officeholding laws. The delegates and staff are subject to the code of ethics, public bribery laws, and, in the case of elected delegates and candidates for delegate, the campaign finance laws. Attorney delegates are entitled to continuance of cases in which they are counsel of record while attending sessions and convention work.
- (4) Provides that the election for delegates shall be held at the primary election on November 6, 2018, and if a general election is necessary, on December 8, 2018. Candidates qualify without regard to party affiliation. Election is to be in accordance with provisions for election of candidates for public office in the La. Election Code.
- (5) Provides for conduct of the elections in accordance with the election code, except for any conflicts with the proposed law. Voters vote without regard to party affiliation. Provides for application of state law to tabulation of votes in delegates' election. Provides for election costs to be paid as provided by the La. Election Code as in the case of elections for the state legislature.
- (6) Provides for filling of vacancies in elected delegates' offices by joint appointment by the governor, the speaker of the House, and the president of the Senate of a qualified person from the same district. Provides for filling other vacancies in the same manner as the original selection within 30 days of vacancy.

Proposed law grants to the convention the authority to frame a new state constitution, including such alternative provisions as it deems appropriate.

Prohibits the convention from proposing substantive changes whereby:

- (1) The bonded or other indebtedness of the state or of any parish, municipality, district, or other political subdivision or authority of the state would be impaired.
- (2) The term of office of members of the legislature or of any other elected or of any appointed official of the state or of any political subdivision thereof would be reduced or shortened prior to the expiration of the term of office being held at the time of the adoption of the new constitution, or the salary of any such official would be reduced prior to the expiration of the term of office being held at the time of the adoption of a new constitution.

- (3) The state capital is removed or could be removed from Baton Rouge.

Proposed law provides for convention organization:

- (1) Includes provisions for oath for delegates; adoption of rules; election of chairman, vice chairman, chief clerical officer, and other officers deemed necessary by the convention; and election of an executive committee which shall include all of the elected officers of the convention; and other actions necessary to organize.
- (2) Provides for House and Senate staff designated by the presiding officers of the legislature, prior to the convention, to prepare rules of procedure for adoption by the convention, based on the 1973 convention rules, such rules to be subject to change and adoption by the convention. Prohibits proxy voting. Limits committee membership to 17 members.

Proposed law provides for the initial meeting of the convention on January 7, 2019. Provides that after organizational activities are completed, the convention may meet either as a full body or in committees until it completes its duties.

Proposed law provides for convention staff, budget, committees, meeting site, and other assistance:

- (1) Requires the executive committee to employ a research director, research and clerical staff, and other employees deemed necessary. Specifies certain staff membership. Provides for soliciting staff applications. Provides for executive committee to set staff compensation.
- (2) Provides that staff may include but not be limited to a research director, research assistants, personnel provided by the four law schools from the faculty as requested by the committee, and such other staff as deemed necessary by the executive committee. Requires the secretary of state, prior to the first meeting of the convention, to advertise and receive applications for staff service and present those applications to the executive committee on the day the convention convenes.
- (3) Requires the executive committee to prepare a budget of anticipated expenses of the convention, based on the amount of the appropriation for the convention and any other funds available for expenditure.
- (4) Authorizes the executive committee to establish any substantive or procedural committees it deems necessary. Provides that the chairman of the convention appoint the chairman, vice chairman, and membership of each such committee.
- (5) Requires that the House Chamber and the legislative committee rooms in the state capitol be available for convention use, unless the legislature is in session. Authorizes the convention to meet elsewhere in Baton Rouge as determined by the chairman when state capitol facilities are not available or are insufficient.
- (6) Authorizes convention use of facilities and services of state departments and agencies and of political subdivisions and requires their cooperation in furnishing services, facilities, and employees. Authorizes the convention to accept grants, facilities, and services from public and private sources, with such to be recorded in convention records which shall be open for inspection.

Proposed law requires that the legislature make adequate appropriations to the convention for the payment of the necessary expenses of the convention such as per diem, salaries, and expenses of employees, supplies, materials, equipment, and printing for so long as the convention remains in existence and for so long thereafter as is necessary to pay the expenses of the convention. Provides that the convention is not a state budget unit. Specifies

that the convention is subject to audit by the legislative auditor.

Proposed law requires that funds appropriated be withdrawn from the state treasury in accordance with warrants signed by the convention chairman and that checks be signed by the chairman and vice chairman, or the chairman or vice chairman and such other person as designated by the convention.

Proposed law provides that the final draft of a proposed constitution be completed not later than April 5, 2019. Requires the convention, upon completion of its work and subject to the subject matter limitations on the convention, to submit to the governor the proposed constitution and any alternative provisions agreed upon no later than April 19, 2019. Provides that the constitution and any alternative provisions proposed for submission shall be submitted to the people for their adoption or rejection at a special election. Provides for the convention to determine the manner for submission of alternative proposals. Requires the governor to call the election within 15 days after the draft is submitted, to be held at the same time as the gubernatorial election in 2019 (Oct. 12, 2019). Provides for the election to be held and the results thereof promulgated in accordance with the La. Election Code and for costs to be paid as provided in the election code for elections in which a constitutional amendment appears on the ballot. Voters are allowed to vote without regard to party affiliation. Requires a majority vote to approve the constitution and any alternative proposals.

Proposed law requires, upon promulgation of the results of the election by the secretary of state if the constitution is ratified and adopted by the people, that the governor proclaim the constitution, including alternative provisions adopted, to be the Constitution of La. Provides that the constitution and any such alternative provisions adopted shall become effective at midnight on December 31, 2019, except as otherwise provided in the constitution or in any alternative provisions adopted.

Proposed law provides that if any provision or application of proposed law which authorizes the convention to consider only certain subject matters and certain provisions of the constitution and prohibits the convention from considering other subject matters and provisions is held invalid then this entire proposed law shall be invalid and of no effect. Specifies, however, that if any other provision of proposed law or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of this proposed law which can be given effect without the invalid provision or application.

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