

2020 Regular Session

HOUSE BILL NO. 680

BY REPRESENTATIVE WRIGHT

CONSTITUTION/CONVENTION: Provides for calling a constitutional convention

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 of delegates; to provide for
5 the organization and staff of the convention; to provide for advisory members to the
6 convention; to require that the constitution as adopted by the convention be
7 submitted to the qualified electors for adoption and to provide relative to such
8 submission; to provide for the application of specified laws, including provisions of
9 law containing criminal penalties, to delegates, candidates for delegate, and staff of
10 the convention; to require appropriation of funds for the convention and provide with
11 respect to convention funds; to fix the effective date of the new constitution if
12 approved by the electorate; and to provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

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

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

19 (B) The need to address a number of key policy areas that require constitutional
20 change has become apparent, including such matters as the state's tax structure and
21 budgetary practices that hamper the state's economic growth and competitiveness as well as

1 the quality of life of Louisiana residents; the dedication of state revenues and the resulting
2 inability of the legislature to allocate resources where needed, particularly for the needs of
3 health care and higher education; the fiscal restraints on local governments that dramatically
4 limit their authority to meet fiscal and budgetary demands; and other matters.

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

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

13 Section 2. Call for convention; delegates. (A) A constitutional convention is hereby
14 called, to convene on January 4, 2021, at noon, which shall be held for the purpose of
15 framing a new constitution for the state of Louisiana subject to the terms, conditions, and
16 provisions in this Act.

17 (B)(1) There shall be one hundred seventeen delegates to the convention. Three
18 delegates shall be elected from each of the districts from which members of the Senate of
19 the Louisiana Legislature were elected in 2019.

20 (2) The secretary of state shall issue a commission to each delegate elected as
21 provided in this Section.

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

26 (b) No person serving as a member of the Legislature of Louisiana shall be eligible
27 to qualify or serve as a delegate to the convention.

28 (4) The election of any public official or public employee as a delegate to the
29 convention and his service in the convention and the appointment of any public official or
30 public employee to the staff of the convention, as authorized and provided in this Act, shall

1 not be construed to constitute dual office holding or dual employment within the prohibitions
2 of Part III of Chapter 2 of Title 42 of the Louisiana Revised Statutes of 1950. Each delegate
3 shall be considered to be an elected official within the scope of and subject to the provisions
4 of the Code of Governmental Ethics, Chapter 15 of Title 42 of the Louisiana Revised
5 Statutes of 1950. Each staff member of the convention shall be considered to be a public
6 employee within the scope of and subject to the provisions of the Code of Governmental
7 Ethics, Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950. For purposes of
8 Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950, the agency and the
9 governmental entity of delegates and staff members of the convention shall be the
10 convention. For purposes of any other office or employment of any such delegate or staff
11 member, the provisions of Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950
12 shall remain applicable. Each delegate to the convention and each staff member of the
13 convention shall be considered to be a public officer, public official, public employee, or
14 person in a position of public authority for purposes of the application of the provisions of
15 the Louisiana Criminal Code.

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

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

22 (C)(1) The one hundred seventeen delegates to the convention to be elected from
23 senate districts shall be elected at a special election to be held as provided in this Act. The
24 special primary election for such delegates shall be held at the statewide primary election
25 on November 3, 2020, and, if necessary to break a tie vote, a special runoff election for
26 delegates shall be held at the statewide election to be held on December 5, 2020. Not later
27 than June 17, 2020, the governor shall issue a proclamation and give notice of the election
28 to be held under this Section. Each person desiring to become a candidate for election as a
29 delegate from a senate district shall qualify as a candidate from the particular senate district
30 he seeks to represent by filing a statement of candidacy with the clerk of court for the parish

1 in which the candidate is registered to vote during the qualifying period for candidates in the
2 primary election on November 3, 2020, as otherwise provided by law. Qualification as a
3 candidate shall be without regard to party affiliation. Notwithstanding R.S. 18:453 or 461,
4 a person may qualify for one delegate position and one other office other than delegate.

5 (2) The election of a person to the office of delegate shall be in accordance with
6 provisions for the election of candidates for public office in the Louisiana Election Code,
7 except that the three candidates who receive the highest numbers of votes in the primary
8 election shall be elected. If, as a result of a tie vote in the primary election, the number of
9 candidates to be elected as delegate from a senate district exceeds three, the candidates who
10 received the same number of votes among the highest number of votes qualify for the runoff
11 election. The candidate who receives the most votes in the runoff election shall be elected.

12 Section 3. Conduct of election for delegates. (A) Except as otherwise provided in
13 this Act, the elections for convention delegates shall be conducted and the results thereof
14 published and promulgated in accordance with the Louisiana Election Code. All qualified
15 electors shall be entitled to vote in their respective election precincts without regard to party
16 affiliation. The votes for candidates for the office of delegate shall be tabulated as in the
17 case of candidates for public office.

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

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

24 Section 4. Vacancies. In the event of the death or the inability or unwillingness of
25 any delegate to serve, whether before or during the convention, the speaker of the House of
26 Representatives, the president of the Senate, and the governor shall fill such vacancy by
27 appointment, by unanimous consent of the three officials, of a person from the same district
28 who possesses the qualifications for delegate.

29 Section 5. The convention shall have authority to frame a new constitution for the
30 state which shall be submitted to the electors of the state for their approval or rejection.

1 Section 6. Convention organization. (A)(1) The delegates to the convention chosen
2 as provided in this Act shall meet in the House Chamber in the state capitol, or at such other
3 suitable location in the capital city as shall be determined jointly by the presiding officers
4 of the legislature, at noon on Monday, January 4, 2021. The chief justice, or in his absence
5 any associate justice of the supreme court designated by the court, shall attend the
6 convention at the opening thereof and shall preside until the chairman has been elected. The
7 secretary of state shall attend the opening of the convention and call the roll of the delegates,
8 whereupon the temporary presiding officer shall administer to the delegates the following
9 oath:

10 "I, . . . , do solemnly swear (or affirm) that I will support the constitution and laws of
11 the United States and the constitution and laws of this state and that I will faithfully and
12 impartially discharge and perform all the duties incumbent on me as a delegate to the
13 convention, according to the best of my ability and understanding. So help me God."

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

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

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

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

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

25 (4) Select a chief clerical officer of the convention from among the chief clerical
26 officers of the House of Representatives and the Senate and their assistants, who shall not
27 be a delegate and whose duties shall be provided by the rules of procedure for the
28 convention.

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

1 (C) The convention shall adopt rules of procedure when it convenes. The rules of
2 procedure adopted by the convention shall be subject to later change as the delegates shall
3 provide therein. No delegate shall be allowed to vote by proxy and the rules shall so
4 provide. No committee of the convention, including the executive committee, shall exceed
5 seventeen members and the rules shall so provide.

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

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

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

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

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

18 (3) Personnel provided by the Louisiana State University, Tulane University, Loyola
19 University, and Southern University law schools from the faculty as requested by the
20 committee.

21 (4) Such other staff as the executive committee deems necessary.

22 (C) Notwithstanding any provision of law to the contrary, if a staff member provided
23 to the convention is engaged in regular, bona fide employment, the staff member may
24 continue to be paid and receive the usual compensation and benefits from his employer while
25 the staff member is engaged in the work of the committee or the convention.

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

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

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

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

20 (H) The final draft of the proposed constitution shall be completed no later than
21 April 8, 2022.

22 Section. 8. Advisory members to the convention. (A) The convention, subject to
23 its rules of procedure, may request the assistance of advisory members to the convention
24 who shall be composed as follows:

25 (1) A member appointed with the concurrence of the Public Affairs Research
26 Council of Louisiana, the Louisiana Budget Project, and the Council for a Better Louisiana.

27 (2) A member appointed with the concurrence of the Louisiana Association of
28 Business and Industry and the National Federation of Independent Business.

29 (3) A member appointed with the concurrence of Blueprint Louisiana and the
30 Committee of 100 for Economic Development, Inc.

1 (4) A representative of the Louisiana AFL-CIO appointed by the Louisiana AFL-
2 CIO.

3 (5) A member of any Louisiana chapter of the National Association for the
4 Advancement of Colored People appointed by the chairman of the national board of
5 directors of the association.

6 (6) A representative of elected parish officials appointed with the concurrence of the
7 Louisiana Sheriffs' Association, the Louisiana Assessors' Association, and the Louisiana
8 Clerks of Court Association.

9 (7) A representative of local governmental bodies appointed with the concurrence
10 of the Louisiana Municipal Association, the Police Jury Association of Louisiana, and the
11 Louisiana School Boards Association.

12 (8) One representative of the Louisiana State Law Institute appointed by the
13 Louisiana State Law Institute.

14 (9) A representative of the Louisiana State University System appointed by the
15 Board of Supervisors of Louisiana State University and Agricultural and Mechanical
16 College.

17 (10) A representative of the Southern University System appointed by the Board of
18 Supervisors of Southern University and Agricultural and Mechanical College.

19 (11) A representative of the University of Louisiana System appointed by the Board
20 of Supervisors for the University of Louisiana System.

21 (12) One member appointed by the Louisiana Association of Independent Colleges
22 and Universities.

23 (13) A representative of the Louisiana Farm Bureau Federation appointed by the
24 Louisiana Farm Bureau board of directors.

25 (14) One member appointed with the concurrence of the Louisiana District Judges
26 Association, the Conference of Court of Appeal Judges, and the chief justice of the
27 Louisiana Supreme Court.

28 (15) Four members of the Louisiana House of Representatives appointed by the
29 speaker of the House of Representatives.

30 (16) Four members of the Louisiana Senate appointed by the president of the Senate.

1 (17) Four members appointed by the governor.

2 (18) One representative of the Louisiana Tax Institute appointed by the board of the
3 Louisiana Tax Institute.

4 (19) A representative of the Board of Regents appointed by the board.

5 (20) A representative of the Louisiana Community and Technical College System
6 appointed by the Board of Supervisors of Community and Technical Colleges.

7 (B)(1) Appointments made pursuant to this Section shall be submitted to the
8 chairman of the convention and the secretary of state no later than fifteen days after the
9 convention requests the appointments. The secretary of state shall issue a commission to
10 each person appointed as provided in this Section.

11 (2) If a person appointed as an advisory member is unable to serve for any reason,
12 the vacancy shall be filled in the manner of the original appointment.

13 (C) Advisory members appointed pursuant to this Section may participate in
14 discussion and debate only in committees established by the convention and only if
15 authorized in the rules of the convention but shall not have the right to vote. No advisory
16 member shall be allowed to participate in more than two committees formed by the
17 convention nor shall any advisory member be allowed to participate on the executive
18 committee.

19 Section 9. Compensation of delegates. No delegate may accept any compensation
20 from any source for work performed as a delegate to the convention. However, if a delegate
21 is engaged in regular, bona fide employment, should the delegate's employer choose to
22 continue to pay the usual compensation while the delegate is engaged in the work of the
23 convention, such delegate may accept that compensation, notwithstanding any provision of
24 law to the contrary.

25 Section 10. Appropriation; use of funds. (A) Any appropriation for the expenses
26 of the convention shall be used solely to defray the necessary expenses of the constitutional
27 convention for which provision is made in this Act, including the payment for supplies,
28 materials, equipment, printing, and reproduction of materials, and all other necessary
29 expenses incurred in connection with the convention and its work.

1 (B) Any funds appropriated for the convention shall be withdrawn from the state
2 treasury in accordance with warrants signed by the chairman of the convention, and all
3 checks for the disbursement of funds shall be signed by the chairman and the vice chairman
4 of the convention or by the chairman or vice chairman and such other person as shall be
5 designated by the convention.

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

13 Section 11. Submission of proposed constitution; election. (A) Upon completion
14 of its work, and not later than May 2, 2022, the convention shall submit a proposed draft of
15 a new constitution for the state to the governor, the speaker of the House of Representatives,
16 and the president of the Senate. The presiding officers of the legislature shall post the
17 proposed draft on the official internet website or portal of the Louisiana State Legislature
18 within twenty-four hours of receipt. The convention's proposed draft shall be submitted to
19 the people for adoption or rejection. Within fifteen days after submission of the proposed
20 draft to the governor, he shall by proclamation call an election to be held at the same time
21 as the congressional primary election in 2022 for the purpose of submitting the proposed
22 draft to the people for adoption or rejection.

23 (B) The election shall be held and the results shall be promulgated in accordance
24 with the Louisiana Election Code. All electors duly qualified to vote in the state at the time
25 of the election shall be entitled to vote without regard to party affiliation in their respective
26 precincts on the proposition for or against adoption of the revision proposed by the
27 convention. The costs of the election shall be paid as provided in the Louisiana Election
28 Code for elections in which a constitutional amendment appears on the ballot.

29 (C) The convention may submit to the electors of the state the proposal of
30 acceptance or rejection of the constitution and in such form and manner as it may determine

1 and may direct the proper election officials to take the necessary steps to effectuate such
2 determination of the convention in presenting the proposed constitution. Adoption of the
3 constitution shall require the favorable vote of a majority of the electors voting on the
4 respective proposition.

5 (D) Upon promulgation of the results of the election by the secretary of state, if the
6 constitution is ratified and adopted by the people in the election for which provision is made
7 in this Section, the governor shall proclaim the constitution to be the Constitution of
8 Louisiana. The constitution shall become effective at midnight on December 31, 2022,
9 except as otherwise provided in the constitution adopted.

10 Section 12.(A) The provisions of the proposed revision of the constitution shall be
11 severable. If any provision of the proposed revision of the constitution is deemed void by
12 final judgment of a court of competent jurisdiction after adoption by the convention but prior
13 to its submission to the electors, then the provision deemed void shall be removed from the
14 proposed revision of the constitution by the secretary of state and the remainder of the
15 proposed revision of the constitution shall be submitted to the electors in accordance with
16 this Act.

17 (B) If any provision of the revision of the constitution, or the application thereof, is
18 deemed invalid after ratification by the electors, such invalidity shall not affect other
19 provisions, items, or applications of the revision which can be given effect without the
20 invalid provision, item, or application.

21 Section 13. This Act shall become effective upon signature by the governor or, if not
22 signed by the governor, upon expiration of the time for bills to become law without signature
23 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If
24 vetoed by the governor and subsequently approved by the legislature, this Act shall become
25 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 680 Original

2020 Regular Session

Wright

Abstract: Calls a constitutional convention to convene on Jan. 4, 2021, to be composed of 117 delegates, 3 elected from each senate district. Requires convention to complete a new constitution by April 8, 2022.

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.

Constitutional Convention

Proposed law provides for a constitutional convention as follows:

- (1) Calls the convention to convene at noon on Jan. 4, 2021, to frame a new constitution for the state, subject to the terms, conditions, and provisions of the Act.
- (2) Provides for 117 delegates, with three elected from each 2019 senate election district at the regularly scheduled congressional election in 2020.
- (3) Requires that delegates be qualified electors of the state and that elected delegates be residents of the district from which elected. Provides that legislators are not eligible to qualify or serve as a delegate. Excludes election and service of delegates and service of the staff of the convention from dual employment/dual officeholding laws. Delegates and staff are subject to the code of ethics, and, in the case of delegates and candidates for delegate, the campaign finance laws. Further, delegates and staff are considered public officers, public officials, public employees, or person in a position of public authority for purposes of the application of the provisions of the La. Criminal code. 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 Nov. 3, 2020, and if a runoff election is necessary, on Dec. 5, 2020. 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, however, provides that the three candidates with the highest numbers of votes in the primary election from each senate district shall be elected. Further specifically allows a person to qualify for one delegate position and one other office other than delegate at the same time.
- (5) Provides for conduct of the elections in accordance with the election code, except for any conflicts with the Act. 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 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.

Proposed law grants to the convention the authority to frame a new state constitution.

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 that the convention shall adopt rules of procedure when it convenes. Prohibits proxy voting. Limits committee membership to 17 members.

Proposed law provides for the initial meeting of the convention on Jan. 4, 2021. 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 request the provision of professional, research, technical, and clerical staff from public or private sources as deemed necessary.
- (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. Allows the staff of the convention to continue to receive compensation from the staff person's regular bona fide employment.
- (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 appoints 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.
- (7) Provides that the convention may provide in its rules for advisory members who may participate in discussion and debate in up to two committees only, but shall not be allowed to vote and shall not participate on the executive committee. Provides that if so requested by the convention, the appointments shall be made and submitted to the chairman of the convention and the secretary of state no later than 15 days after the request. Provides that the advisory members shall consist of:
 - (a) A member appointed with the concurrence of the Public Affairs Research Council of La., the La. Budget Project, and the Council for a Better La.
 - (b) A member appointed with the concurrence of the La. Assoc. of Business and Industry and the National Federation of Independent Business.
 - (c) A member appointed with the concurrence of Blueprint La. and the Committee of 100 for Economic Development, Inc.
 - (d) A representative of the La. AFL-CIO appointed by the La. AFL-CIO.

- (e) A member of any La. chapter of the National Assoc. for the Advancement of Colored People appointed by the chairman of the national board of directors of the association.
- (f) A representative of elected parish officials appointed with the concurrence of the La. Sheriffs' Assoc., the La. Assessors' Assoc., and the La. Clerks of Court Assoc.
- (g) A representative of local governmental bodies appointed with the concurrence of the La. Municipal Assoc., the Police Jury Assoc. of La., and the La. School Boards Assoc.
- (h) One representative of the La. State Law Institute appointed by the La. State Law Institute.
- (i) A representative of the La. State University System appointed by the Bd. of Supervisors of La. State University and Agricultural and Mechanical College.
- (j) A representative of the Southern University System appointed by Bd. of Supervisors of Southern University and Agricultural and Mechanical College.
- (k) A representative of the University of La. System appointed by the Bd. of Supervisors for the University of La. System.
- (l) One member appointed by the La. Assoc. of Independent Colleges and Universities.
- (m) A representative of the La. Farm Bureau Federation appointed by the La. Farm Bureau board of directors.
- (n) One member appointed with the concurrence of the La. District Judges Assoc., the Conference of Court of Appeal Judges, and the chief justice of the La. Supreme Court.
- (o) Four members of the La. House of Representatives appointed by the speaker of the House of Representatives.
- (p) Four members of the La. Senate appointed by the president of the Senate.
- (q) Four members appointed by the governor.
- (r) One representative of the La. Tax Institute appointed by the board of the La. Tax Institute.
- (s) A representative of the Board of Regents appointed by the board.
- (t) A representative of the La. Community and Technical College System appointed by the Bd. of Supervisors of Community and Technical Colleges.

Proposed law provides for compensation of delegates and payment of convention expenses:

- (1) Prohibits a delegate from accepting any compensation for work performed as a delegate to the convention, but allows a delegate to continue to receive compensation for the delegate's regular bona fide employment while a delegate.
- (2) Requires that the legislature make adequate appropriations to the convention for the payment of the necessary expenses of the convention such as 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.
- (3) 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.

Submission to Voters/Effectiveness

Proposed law provides that the final draft of a proposed constitution be completed not later than April 8, 2022. Requires the convention, upon completion of its work to submit the proposed constitution to the governor and the presiding officers of the legislature no later than May 2, 2022. Requires the presiding officers to post the proposed constitution on the

legislative website within 24 hours of receipt. Provides that the proposed constitution shall be submitted to the people for their adoption or rejection at a special election. Requires the governor to call the election within 15 days after the draft is submitted, to be held at the same time as the congressional primary in 2022 (Nov. 8, 2022). 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.

Proposed law provides that the provisions of the proposed revision of the constitution shall be severable and provides that if any provision is deemed void by final judgment of a court of competent jurisdiction after adoption by the convention but prior to its submission to the electors, then the provision deemed void shall be removed from the proposed revision of the constitution by the secretary of state and the remainder of the proposed revision of the constitution shall be submitted to the electors in accordance proposed law. Further provides that if any provision of the revision of the constitution, or the application thereof, is deemed invalid after ratification by the electors, such invalidity shall not affect other provisions, items, or applications of the revision which can be given effect without the invalid provision, item, or application.

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 to be the Constitution of La. Provides that the new constitution shall become effective at midnight on Dec. 31, 2022, except as otherwise provided in the constitution.

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

Timetable for Major Provisions of Bill

<i>What</i>	<i>Date</i>
Election of 117 convention delegates	11/13/20 & 12/5/20 (if a runoff is necessary to break a tie)
Convention to convene	1/4/21 (noon)
Convention to complete final draft	4/8/22
Convention to submit draft constitution to the governor and presiding officers by	5/2/22
Election for submission of proposed constitution	11/8/22 (Congressional primary election)
Constitution becomes effective if adopted	12/31/22 (midnight)