

2020 Regular Session

SENATE BILL NO. 351

BY SENATOR CATHEY

POLITICAL PARTIES. Allows each recognized political party to determine the composition of its state central committee. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 18:443(B)(1), 443.1(B), the introductory paragraph of
3 443.2(2)(a)(ii),(3), and (7), and 444(B)(1) and to enact R.S. 18:443(G), relative to
4 state central committees; to provide relative to composition; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:443(B)(1), 443.1(B), the introductory paragraph of 443.2(2)(a)(ii),
8 (3), and (7), and 444(B)(1) are hereby amended and reenacted and R.S. 18:443(G) is hereby
9 enacted to read as follows:

10 §443. State central committee

11 * * *

12 B.(1) All members of the state central committee of a recognized political
13 party shall be elected every four years at the same time as the presidential preference
14 primary election. ~~The term of office shall not extend for a period beyond the time for~~
15 ~~which the member was elected. Notwithstanding this provision, members elected in~~
16 ~~1991 shall serve until their successors are chosen.~~

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G.(1) Notwithstanding the provisions of Paragraph (B)(1) of this Section, in the event an election for members of any such state central committee does not occur at the same time as the presidential preference primary in 2020, the members of the state central committee shall be elected at the runoff of the next regularly scheduled election presently scheduled for December 5, 2020. The secretary of state shall select the dates for qualification of candidates, conforming as closely as practicable with the timelines established in R.S. 18:467.

(2) The provisions of this Subsection shall be effective only until June 1, 2021.

§443.1. State central committee; composition and apportionment

* * *

~~B. The membership of the state central committee of a recognized political party with which thirty percent or less of the registered voters in the state are affiliated shall be composed and apportioned as provided in R.S. 18:443.2~~
Notwithstanding the provisions of Subsection A of this Section, the membership of the state central committee of a recognized political party may alternatively elect to be composed and apportioned as provided by R.S. 18:443.2.

* * *

§443.2. **Alternate method** ~~State central committee of a recognized political party with thirty percent or less voter registration; election; composition and apportionment~~

Notwithstanding any provision of law to the contrary, a state central committee of a recognized political party ~~with which thirty percent or less of the registered voters in the state are affiliated on the day of the close of registration for the gubernatorial general election shall be established, composed, apportioned, and elected~~ **may choose to be established, composed, apportioned, and elected** as follows:

* * *

1 (2)(a)

2 * * *

3 (ii) Except as otherwise provided in this ~~Subparagraph~~ **Part**, all members of
 4 any such state central committee shall be elected at the same time as the presidential
 5 preference primary election. ~~The term of office shall not extend for a period beyond~~
 6 ~~the time for which the member was elected. Notwithstanding this provision,~~
 7 ~~members elected in 1992 shall serve until noon on the second Saturday following the~~
 8 ~~statewide presidential general election in 1996. Members elected in 1996 shall serve~~
 9 ~~from noon on the second Saturday following the statewide presidential general~~
 10 ~~election in 1996 until noon on the second Saturday following the presidential~~
 11 ~~preference primary in 2000, thereafter members shall serve a four-year term. **The**~~
 12 **term of office of the members shall be until the next presidential primary is**
 13 **held, or until their successors are qualified and elected in the event that the**
 14 **election for state central committee members cannot be held at the same time**
 15 **as the presidential preference primary election.**

16 * * *

17 (3) The members who serve pursuant to Item (2)(a)(i) of this Section and the
 18 newly elected members of any such state central committee shall meet at the state
 19 capitol, shall take office, and shall organize the committee at noon on the second
 20 Saturday following the election of the newly elected members. A majority of the
 21 total of the members who serve pursuant to Item (2)(a)(i) of this Section and the
 22 newly elected members of the committee shall constitute a quorum. ~~No member shall~~
 23 ~~exercise the proxy votes of more than three other members at any meeting. A~~
 24 member of such state central committee may be present in person or by proxy.
 25 Proxies may be exercised in compliance with rules and regulations adopted by the
 26 state central committee.

27 * * *

28 (7) A state central committee shall adopt a plan to provide for the number of
 29 members of such committee and the apportionment thereof, and such plan shall be

1 effective if the committee files a copy of the plan with the secretary of state not later
 2 than the ninetieth day prior to the opening of qualifying for the election of the
 3 members of such state central committee. Any plan previously filed by the state
 4 central committee shall remain in effect until rescinded or replaced by the state
 5 central committee. ~~If a state central committee does not adopt and file a plan as~~
 6 ~~provided herein, the membership of such state central committee shall be composed~~
 7 ~~of one hundred forty-four members with one member elected from each of the~~
 8 ~~districts from which members of the House of Representatives and the Senate of the~~
 9 ~~Legislature are elected.~~ The term of office of the members shall be until their
 10 successors are qualified and elected.

11 §444. Parish executive committees

12 * * *

13 B. Election and term. (1) Members of a parish executive committee of a
 14 recognized political party shall be elected every four years at the same time as the
 15 presidential preference primary election. ~~The term of office shall not extend beyond~~
 16 ~~the time for which the member was elected.~~ ~~Notwithstanding this provision,~~
 17 ~~members elected in 1991 shall serve until their successors are chosen.~~ The term of
 18 office of the members shall be until their successors are qualified and elected.

19 * * *

20 Section 2. This Act shall become effective upon signature by the governor or, if not
 21 signed by the governor, upon expiration of the time for bills to become law without signature
 22 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 23 this Act is vetoed by the governor and subsequently approved by the legislature, this Act
 24 shall become effective on the day following such approval.

The original instrument was prepared by Matt Deville. The following digest,
 which does not constitute a part of the legislative instrument, was prepared
 by Ann S. Brown.

election, that the term of office will not exceed for a period beyond the time for which the member was elected, and that members elected in 1991 will serve until their successors are chosen.

Proposed law retains present law provision regarding election of members every four years at the same time as the presidential preference election and removes the provisions regarding terms of office not extending beyond the time for which a member was elected and members elected in 1991 serving until their successors are chosen.

Proposed law provides that notwithstanding present law, in the event an election for members of the state central committee does not occur at the same time as the presidential preference primary in 2020, the members of the state central committee shall be elected at the runoff of the next regularly scheduled election (December 5, 2020.) Provides that the secretary of state shall select the dates for qualification of candidates, conforming as closely as practicable with the timelines established in present law. Provides that the provisions of proposed law shall only be effective until June 1, 2021.

Present law provides that membership of the state central committee of a recognized political party with which 30% or less of the registered voters in the state are affiliated will be composed and apportioned as provided in present law.

Proposed law provides that membership of the state central committee of a recognized political party may alternatively elect to be composed and apportioned as provided by proposed law, notwithstanding the provisions of present law.

Present law provides that a state central committee of a recognized political party with which 30% or less of the registered voters in the state are affiliated on the day of the close of registration for the gubernatorial general election will be established, composed, apportioned and elected pursuant to enumerated criteria in present law.

Proposed law provides an alternative method to present law in which a state central committee of a recognized political party may choose to be established, composed, apportioned and elected pursuant to enumerated criteria in proposed law.

Present law provides that members of a parish executive committee of a recognized political party shall be elected every four years at the same time as the presidential preference primary election. Provides that the term of office shall not extend beyond the time for which the member was elected.

Proposed law retains present law but provides that the term office of the members shall be until their successors are qualified and elected.

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

(Amends R.S. 18:443(B)(1), 443.1(B), 443.2 (intro para), (2)(a)(ii), (3), and (7), and 444(B)(1); adds R.S. 18:443(G))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

1. Adds special election dates for a state central committee's 2020 elections if not occurring at the presidential preference primary.
2. Adds provisions regarding parish executive committee member's term of office.

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Makes technical change.