

CONFERENCE COMMITTEE REPORT

SB 441

2022 Regular Session

Fesi

June 6, 2022

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 441 by Senator Fesi, recommend the following concerning the Engrossed bill:

1. That the set of House Committee Amendments proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on May 23, 2022, be rejected.
2. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line, delete line 3, and on line 4 delete "elections;" and insert:

"enact R.S. 18:451.4 and 586, relative to public officers; to provide for qualification of local candidates; to provide relative to the retirement or resignation of an elected official; to provide relative to an appointment or election to fill a vacancy created by such a retirement or resignation; to provide for prohibitions; to provide for an effective date;"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." delete the remainder of the line and deletes lines 7 through 17 and on page 2, delete lines 1 through 5 and insert:

"R.S. 18:451.4 and 586 are hereby enacted to read as follows:

§451.4. Qualifications of candidates for local offices; prohibitions

No public employee as defined in R.S. 42:1102 who receives an annual salary from his public employer in excess of one hundred thousand dollars may qualify as a local candidate as defined in R.S. 18:452 while concurrently serving as a public employee. The one-hundred-thousand-dollar limit shall be increased each year in an amount equal to any increase in the CPI-U for the preceding calendar year.

* * *

§586. Vacancies caused by retirement or resignation; prohibitions

A. No elected official who has retired or resigned from state or local elective office shall be appointed to succeed himself in the office from which he retired or resigned.

B. No elected official who has retired or resigned from state or local elective office shall be eligible as a candidate at an election called to fill the vacancy created by the retirement or resignation of the elected official.

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

Respectfully submitted,

Senators:

Senator Michael "Big Mike" Fesi

Senator Sharon Hewitt

Senator Barry Milligan

Representatives:

Representative John Stefanski

Representative John R. Illg, Jr.

Representative Joseph A. Orgeron

The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Matthew R. DeVille.

CONFERENCE COMMITTEE REPORT DIGEST

SB 441

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Keyword and summary of the bill as proposed by the Conference Committee

ELECTED OFFICIALS. Provides relative to qualifications of candidates for office. (gov sig)

Report rejects House amendments which would have:

1. Prohibited an elected official who has retired or resigned from state or local elective office from being appointed to succeed himself in the office from which he retired or resigned.
2. Prohibited an elected official who has retired or resigned from state or local elective office from being eligible as a candidate at an elected called to fill the vacancy created by the retirement or resignation of the elected official.

Report amends the bill to:

1. Make technical changes.
2. Prohibit a public employee who receives an annual salary in excess of \$100,000 from qualifying as a local candidate for office.
3. Prohibit an elected official who has retired or resigned from state or local elective office from being appointed to succeed himself in the office from which he retired or resigned.
4. Prohibit an elected official who has retired or resigned from state or local elective office from being eligible as a candidate at an elected called to fill the vacancy created by the retirement or resignation of the elected official.

Digest of the bill as proposed by the Conference Committee

Proposed law provides that no public employee who receives an annual salary in excess of \$100,000 may qualify as a local candidate for office.

Proposed law provides that a public officer who has retired or resigned while in office cannot be appointed to succeed himself in the office from which he retired or resigned. Further provides that a public officer who has retired or resigned while in office is not eligible to be a candidate in the special election called as a result of his retirement or resignation.

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

(Adds R.S. 18:451.4 and 586)