

2024 Regular Session

HOUSE BILL NO. 133

BY REPRESENTATIVE GREEN

ELECTIONS: Provides for the manner of qualifying for a party primary office

1 AN ACT

2 To amend and reenact R.S. 18:410.8, relative to qualifying for party primary office; to
3 provide for a uniform method of qualifying for a party primary office; to provide for
4 qualifying fees and any additional fees; to specify the time period for gathering
5 signatures on nominating petitions for a party primary office; to provide for
6 effectiveness; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:410.8 is hereby amended and reenacted to read as follows:

9 §410.8. Candidates not affiliated with a recognized political party; qualifying for the
10 general election

11 A. Any person who desires to become a candidate in a general election for
12 a party primary office and who is not registered as being affiliated with a recognized
13 political party shall file his notice of candidacy, which shall be accompanied by a
14 nominating petition as provided in R.S. 18:465 or by the qualifying fee and any
15 additional fee imposed, with the appropriate qualifying official during the qualifying
16 period established for the party primary election. A candidate whose notice of
17 candidacy is accompanied by a nominating petition shall not be required to pay any
18 qualifying fee or any additional fee. The number of signatures required on ~~such~~ a
19 nominating petition shall be as set forth in R.S. 18:465.

1 B. A person filing a notice of candidacy accompanied by a nominating
 2 petition as provided in Subsection A of this Section may be nominated only by
 3 persons who are qualified to vote on the office he seeks, who sign a nominating
 4 petition for him no more than one hundred twenty days before the qualifying period
 5 opens for the party primary election, and who are not affiliated with a recognized
 6 political party. The registrar of voters shall reject any signature on a nominating
 7 petition not in compliance with this Subsection.

8 Section 2. This Act shall become effective when Act No. 1 of the 2024 First
 9 Extraordinary Session becomes effective.

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 133 Original

2024 Regular Session

Green

Abstract: Allows all candidates for a party primary office to qualify by filing a notice of candidacy accompanied either by a nominating petition or by the qualifying fee and any additional fee imposed if the notice is not accompanied by a nominating petition.

Present law for elections other than for a party primary office, provides that a person who desires to become a candidate in a primary election shall qualify as a candidate by timely filing a notice of candidacy, which shall be accompanied either by a nominating petition or by the qualifying fee and any additional fee imposed if the notice is not accompanied by a nominating petition. Present law requires that signatures be acquired on the petition not more than 120 days before the qualifying period. Present law, relative to offices that are party primary offices, provides that the number of qualified voters who must timely sign a nominating petition is (a) for U.S. Senate—5,000, not less than 500 of which shall be from each of the congressional districts into which the state is divided and (b) for U.S. House, membership on PSC or BESE, and supreme court justice—1000 from within the respective district.

Present law provides that for a person who *is not* registered as being affiliated with a political party recognized pursuant to present law (R.S. 18:441(C)) and who desires to become a candidate in the general election for a party primary office, present law provides that such a person may qualify as a candidate by filing a notice of candidacy accompanied by a nominating petition signed by persons who are qualified to vote on the office the potential candidate seeks and who are not affiliated with a political party recognized pursuant to present law (R.S. 18:441(C)).

Proposed law additionally allows a person who *is not* registered as being affiliated with a political party recognized pursuant to present law (R.S. 18:441(C)) to qualify for a party primary office by filing a notice of candidacy accompanied by the qualifying fee and any additional fee. Proposed law further specifies that signatures be acquired on a nominating petition not more than 120 days before the qualifying period opens for candidates in the party primary election and otherwise retains present law.

Present law, for a person who *is* registered as being affiliated with political party recognized pursuant to present law (R.S. 18:441(C)) and who desires to become a candidate in a party primary office, provides as follows:

- (1) Allows for qualifying by filing a notice of candidacy accompanied by either a nominating petition or by the qualifying fee and any additional fee.
- (2) Provides that only persons who are affiliated with same recognized political party as the potential candidate and who are qualified to vote on the office may sign a nominating petition for a potential candidate.
- (3) Requires that such signatures be acquired on the petition not more than 120 days before the qualifying period opens for candidates in the party primary election.

Proposed law retains present law.

Effective when present law (Act No. 1 of the 2024 1st E.S.) becomes effective.

(Amends R.S. 18:410.8)