

2024 Regular Session

HOUSE BILL NO. 251

BY REPRESENTATIVE GREEN

ELECTIONS: (Constitutional Amendment) Provides relative to the time at which certain officials are elected

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A JOINT RESOLUTION

Proposing to amend Article III, Section 4(C), Article IV, Section 3(A) and (D), Article V, Sections 27, 28(A), and 29, Article VII, Section 24(A), and Article VIII, Section 3(B) of the Constitution of Louisiana and to repeal Article VIII, Section 15 of the Constitution of Louisiana, to provide relative to the timing of elections of certain officials; to provide for the election of state legislators, statewide elected officials, members of the State Board of Elementary and Secondary Education, sheriffs, clerks of court, coroners, and tax assessors; to provide for elections to be held at times established by law for regular congressional elections in years without a regularly scheduled presidential election; to provide for the transition of current elected officials to a new election schedule; to provide an exception for Orleans Parish; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article III, Section 4(C) of the Constitution of Louisiana, to read as follows:

1 §4. Qualifications; Residence and Domicile Requirements; Term; Election
2 Limitations; Vacancies; Temporary Successors; Salary

3 Section 4.

4 * * *

5 (C) Term and Election. (1) A member of the legislature shall be elected for
6 a four-year term at the times established by law for regular congressional elections
7 in years without a regularly scheduled presidential election.

8 (2) Any member of the legislature who was elected to a term of office which
9 began on January 8, 2024, shall hold office until the second Monday in January
10 2031. The successors of these officials shall be elected to a regular term of office at
11 the regular congressional elections held in 2030.

12 * * *

13 Section 2. Be it further resolved by the Legislature of Louisiana, two-thirds of the
14 members elected to each house concurring, that there shall be submitted to the electors of
15 the state of Louisiana, for their approval or rejection in the manner provided by law, a
16 proposal to amend Article IV, Section 3(A) and (D) of the Constitution of Louisiana, to read
17 as follows:

18 §3. Election; Term

19 Section 3.(A) Election. Except as provided in Section 20 of this Article, the
20 governor, lieutenant governor, secretary of state, attorney general, treasurer,
21 commissioner of agriculture, commissioner of insurance, superintendent of
22 education, and commissioner of elections each shall be elected for a term of four
23 years by the electors of the state at the ~~time and place of voting for members of the~~
24 ~~legislature~~ times established by law for regular congressional elections in years
25 without a regularly scheduled presidential election. The term of each such official
26 shall begin at noon on the second Monday in January next following the election.

27 * * *

28 (D)~~(1) Notwithstanding any other provision of this constitution or of law to~~
29 ~~the contrary, statewide elected officials and members of the legislature elected in~~

1 ~~1987 shall hold office from and after the second Monday in March, 1988. These~~
2 ~~statewide elected officials and any successor elected to the unexpired term of any of~~
3 ~~them shall serve for terms which shall expire at noon on January 13, 1992. These~~
4 ~~members of the legislature and any successor elected to the unexpired term of any~~
5 ~~of them shall serve for terms which shall expire at ten o'clock a.m. on January 13,~~
6 ~~1992. Thereafter, statewide elected officials and members of the legislature shall be~~
7 ~~elected for terms of four years~~ Statewide elected officials elected to a term of office
8 which began on January 8, 2024, shall hold office until the second Monday in
9 January 2031. The successors of these officials shall be elected to a regular term of
10 office at the regular congressional elections held in 2030.

11 (2) For purposes of retirement, the statewide elected officials and members
12 of the legislature elected in 1987 shall be deemed to be elected for a four-year term.

13 Section 4. Be it further resolved by the Legislature of Louisiana, two-thirds of the
14 members elected to each house concurring, that there shall be submitted to the electors of
15 the state of Louisiana, for their approval or rejection in the manner provided by law, a
16 proposal to amend Article V, Sections 27, 28(A), and 29 of the Constitution of Louisiana,
17 to read as follows:

18 §27. Sheriffs

19 Section 27. (A) In each parish a sheriff shall be elected for a term of four
20 years at the times established by law for regular congressional elections in years
21 without a regularly scheduled presidential election. He shall be the chief law
22 enforcement officer in the parish, except as otherwise provided by this constitution,
23 and shall execute court orders and process. He shall be the collector of state and
24 parish ad valorem taxes and such other taxes and license fees as provided by law.

25 (B) Any sheriff who was elected to a term of office which began on July 1,
26 2024, shall hold office until June 30, 2031. The successors of these officials shall
27 be elected to a regular term of office at the regular congressional elections held in
28 2030.

29 (C) This Section shall not apply to Orleans Parish.

1 §28. Clerks of Court

2 Section 28.(A) Powers and Duties; Election; Deputies. (1) In each parish
3 a clerk of the district court shall be elected for a term of four years. He shall be ex
4 officio notary public and parish recorder of conveyances, mortgages, and other acts
5 and shall have other duties and powers provided by law. The clerk may appoint
6 deputies with duties and powers provided by law and, with the approval of the
7 district judges, he may appoint minute clerks with duties and powers provided by
8 law.

9 (2) The clerk of court shall be elected at the time established by law for
10 regular congressional elections in years without a regularly scheduled presidential
11 election. Any clerk of court who was elected to a term of office which began on
12 July 1, 2024, shall hold office until June 30, 2031. The successors of these officials
13 shall be elected to a regular term of office at the regular congressional elections held
14 in 2030. This Subparagraph does not apply to Orleans Parish.

15 * * *

16 §29. Coroners

17 Section 29.(A) In each parish a coroner shall be elected for a term of four
18 years. He shall be a licensed physician and possess the other qualifications and
19 perform the duties provided by law. The requirement that he be a licensed physician
20 shall be inapplicable in any parish in which no licensed physician will accept the
21 office.

22 (B) The coroner shall be elected at the time established by law for regular
23 congressional elections in years without a regularly scheduled presidential election.
24 Any coroner who was elected to a term of office which began on March 25, 2024,
25 shall hold office until the Sunday before the fourth Monday in March 2031. The
26 successors of these officials shall be elected to a regular term of office at the regular
27 congressional elections held in 2030. This Paragraph does not apply to Orleans
28 Parish.

1 Section 5. Be it further resolved by the Legislature of Louisiana, two-thirds of the
2 members elected to each house concurring, that there shall be submitted to the electors of
3 the state of Louisiana, for their approval or rejection in the manner provided by law, a
4 proposal to amend Article VII, Section 24(A) of the Constitution of Louisiana, to read as
5 follows:

6 §24. Tax Assessors

7 Section 24.(A) Election; Term. (1) A tax assessor shall be elected by the
8 electors of each parish. His term of office shall be four years. ~~His~~ Except as
9 provided in this Section, his election, duties, and compensation shall be as provided
10 by law.

11 (2) The tax assessor shall be elected at the time established by law for
12 regular congressional elections in years without a regularly scheduled presidential
13 election. Any tax assessor who was elected to a term of office which began on
14 January 1, 2025, shall hold office until December 31, 2031. The successors of these
15 officials shall be elected to a regular term of office at the regular congressional
16 elections held in 2030.

17 * * *

18 Section 6. Be it further resolved by the Legislature of Louisiana, two-thirds of the
19 members elected to each house concurring, that there shall be submitted to the electors of
20 the state of Louisiana, for their approval or rejection in the manner provided by law, a
21 proposal to amend Article VIII, Section 3(B) of the Constitution of Louisiana, to read as
22 follows:

23 §3. State Board of Elementary and Secondary Education

24 * * *

25 (B)(1) Membership; Terms; Election. The board shall consist of eleven
26 members, eight of whom shall be elected from single-member districts, which shall
27 be determined as provided by law, and three of whom shall be appointed by the
28 governor from the state at large, with consent of the Senate. Members shall serve
29 terms of four years, which shall be concurrent with the term of the governor.

1 (2) Members shall be elected at the times established by law for regular
2 congressional elections in years without a regularly scheduled presidential election.
3 A member who was elected to a term of office which began on January 8, 2024, shall
4 hold office until the second Monday in January 2031. The successors of these
5 members shall be elected to a regular term of office at the regular congressional
6 elections held in 2030.

7 (3) No person who has served as a member of the board for more than two
8 and one-half terms in three consecutive terms shall be elected or appointed to the
9 board for the succeeding term. ~~This Subparagraph shall not apply to any person~~
10 ~~elected or appointed to the board prior to the effective date of this Subparagraph,~~
11 ~~except that it shall apply to any term of service of any such person that begins after~~
12 ~~such date.~~

* * *

14 Section 7. Be it further resolved by the Legislature of Louisiana, two-thirds of the
15 members elected to each house concurring, that there shall be submitted to the electors of
16 the state of Louisiana, for their approval or rejection in the manner provided by law, a
17 proposal to repeal Article VIII, Section 15 of the Constitution of Louisiana

18 Section 8. Be it further resolved that this proposed amendment shall be submitted
19 to the electors of the state of Louisiana at the statewide election to be held on November 5,
20 2024.

21 Section 9. Be it further resolved that on the official ballot to be used at the election,
22 there shall be printed a proposition, upon which the electors of the state shall be permitted
23 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
24 follows:

25 Do you support an amendment to require that state legislators, the governor,
26 other statewide elected officials, members of the State Board of Elementary
27 and Secondary Education, and sheriffs, clerks of court, coroners, and tax
28 assessors of parishes other than Orleans Parish be elected at regular
29 congressional elections in years without a regular presidential election?

1 (Amends Article III, Section 4(C), Article IV, Section 3(A) and (D), Article
 2 V, Sections 27, 28(A), and 29, Article VII, Section 24(A), and Article VIII,
 3 Section 3(B); Repeals Article VIII, Section 15)

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 251 Original

2024 Regular Session

Green

Abstract: Provides for election of state legislators, the governor, other statewide elected officials, members of the State Bd. of Elementary and Secondary Education, sheriffs, clerks of court, coroners, and tax assessors at regularly scheduled congressional elections in years without a regularly scheduled presidential election. Extends the terms of current such elected officials to provide for the next election to be held in 2030.

Present constitution provides that the governor, statewide elected officials, and members of the State Bd. of Elementary and Secondary Education (BESE) are elected at the same time as state legislators.

Proposed constitutional amendment provides that the governor, state legislators, statewide elected officials, members of BESE, sheriffs, clerks of court, coroners, and tax assessors shall be elected during the regularly scheduled congressional elections in years without a regularly scheduled presidential election.

Proposed constitutional amendment does not apply to elections for sheriff, clerk of court, coroner, or tax assessor in Orleans Parish.

Present constitution provides that state legislators, the governor, statewide elected officials, members of BESE, sheriffs, clerks of court, coroners, and tax assessors shall serve terms of four years. Proposed constitutional amendment retains present constitution.

Proposed constitutional amendment extends the terms of legislators, statewide elected officials, and members of BESE of who were elected to a term of office which began on Jan. 8, 2024, until the second Monday in Jan. 2031.

Proposed constitutional amendment extends the terms of sheriffs and clerks of court who were elected to a term of office which began on July 1, 2024, until June 30, 2031.

Proposed constitutional amendment extends the terms of tax assessors who were elected to a term of office which began on Jan. 1, 2024, until Dec. 31, 2031.

Proposed constitutional amendment provides for the next election to a regular term of office for all such elected officials to occur at the regular congressional elections held in 2030.

Present constitution provides for the transition of terms of elected and appointed members of BESE whose terms ended in 1980, 1982, and 1984. Proposed constitutional amendment repeals present constitution.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 5, 2024.

(Amends La. Const. Art. III, §4(C), Art. IV, §3(A) and (D), Art. V, §§27, 28(A), and 29, Art. VII, §24(A), and Art. VIII, §3(B); Repeals Art. VIII, §15)