

2024 Regular Session

HOUSE BILL NO. 628

BY REPRESENTATIVE DOMANGUE

CAMPAIGN FINANCE: Provides for reporting requirements and contribution limits applicable to candidates and political committees participating in an additional election following a tie vote or court ordered elections following an election contest

1 AN ACT

2 To amend and reenact R.S. 18:1483(8), 1491.6(F), 1495.4(F), and 1505.2(H)(3)(a), relative
3 to the Campaign Finance Disclosure Act; to provide for certain elections and the
4 application of the Act thereto; to change the definition of election; to provide for
5 reports for certain elections and the duties of the supervisory committee relative
6 thereto; to provide for contribution limits and reporting periods relative to candidates
7 in such elections; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 18:1483(8), 1491.6(F), 1495.4(F), and 1505.2(H)(3)(a) are hereby
10 amended and reenacted to read as follows:

11 §1483. Definitions

12 As used in this Chapter, the following terms shall have the meanings given
13 to each in this Section unless the context clearly indicates otherwise:

14 * * *

15 (8) "Election" means any primary, general, ~~or special, or other~~ election held,
16 pursuant to the laws of this state or a parish or municipal charter or ordinance or a
17 court order, to choose a public officer or nominee. ~~For purposes of this Chapter, a~~
18 ~~primary election and a general election for a particular office shall constitute one~~
19 ~~election.~~ For purposes of the reporting requirements for the support or opposition of

1 a proposition or question submitted to the voters, "election" shall also mean any
2 primary, general, or special election, except local option elections held pursuant to
3 the provisions of Chapter 3 of Title 26 of the Louisiana Revised Statutes of 1950, at
4 which a proposition or question is submitted to the voters in accordance with
5 Chapters 6-A, 6-B, and 6-C of this Code.

6 * * *

7 §1491.6. Reports required; reporting times and periods

8 * * *

9 F.(1) The reports required for any regularly scheduled election shall also be
10 filed for any special election to the extent the dates for filing reports occur after the
11 ~~call~~ proclamation setting the dates for the election.

12 (2) The reports required for any regularly scheduled election shall also be
13 filed for any court-ordered election.

14 (3) For elections held pursuant to R.S. 18:512, the supervisory committee
15 may require the filing of any reports, in addition to those filed pursuant to
16 Subsections B, C, and D of this Section, it deems necessary. Any such requirement
17 shall be by rule.

18 (4) The supervisory committee may promulgate rules to effect the provisions
19 of this Subsection. ~~Such~~ The rules may waive any report required to be filed within
20 ten days after the ~~call~~ proclamation setting the dates for a special election or
21 judgment ordering a new election and any report the supervisory committee deems
22 redundant or burdensome because of the timing of the election.

23 * * *

24 §1495.4. Reports required; reporting times and periods; extension

25 * * *

26 F.(1) The reports required for any regularly scheduled election shall also be
27 filed for any special election to the extent the dates for filing reports occur after the
28 ~~call~~ proclamation setting the dates for the election.

1 election, the reporting period shall be deemed to begin the day following the
2 rendering of the judgment.

3 (v) For purposes of this Subsection, for candidates and committees that
4 participate in an election held pursuant to R.S. 18:512, the reporting period for that
5 election shall be deemed to begin the day following the general election.

6 * * *

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 628 Reengrossed

2024 Regular Session

Domangue

Abstract: Provides for the application of the reporting requirements, reporting periods, and contribution limits for certain elections by specifying that the elections constitute separate elections and authorizes the supervisory committee to provide, by rule, for specified circumstances relative to reporting.

Present law (Campaign Finance Disclosure Act-CFDA) defines "election" as any primary, general, or special election, held, pursuant ordinance, charter, present law, or a court order, to choose a public officer or nominee. Provides for purposes of the CFDA, a primary election and a general election for a particular office shall constitute one election. For propositions or questions submitted to voters, for purposes of the reporting requirements "election" shall also mean any primary, general, or special election, except local option elections held pursuant to present law (Title 26), at which a proposition or question is submitted to the voters in accordance the La. Election Code.

Proposed law adds "other" election held pursuant to ordinance, charter, present law, or a court order, to choose a public officer or nominee to the list of types of elections, removes the language providing that a primary election and a general election for a particular office shall constitute one election for purposes of the CFDA, and otherwise retains present law.

Present law specifies reporting requirements and a schedule for political committees, candidates, and other persons participating in a primary election and a general election. Present law further provides that the reports required for a regularly scheduled election shall also be filed for any special election to the extent that the dates for filing occur after the call for the election. Present law authorizes the supervisory committee to promulgate rules to effect the present law and specify that the rules may waive any report required to be filed within 10 days after the call for a special election.

Proposed law makes technical changes to present law and further specifies that the reports required for any regularly scheduled election shall also be filed for any court ordered election and that for elections held pursuant to present law (R.S. 18:512)in the case of a tie in a general election, the supervisory committee may by rule require any additional reports other than those filed pursuant to present law it deems necessary. Further authorizes the supervisory committee to promulgate rules to effect the provisions of present and proposed law specifying that the rules may include waiving any report required to be filed within 10 days after the judgment ordering a new election any report the supervisory committee deems redundant or burdensome because of the timing of the special or court ordered election.

Present law specifies contribution limits applicable to candidates and political committee participating in elections and provides that for purposes of those limits, a primary election and a general election constitute two separate elections.

Proposed law retains present law and further provides that if held, an election pursuant to present law (R.S. 18:512) shall constitute a separate election and that if a judgment orders a new primary election and general election, those elections shall constitute two separate elections, but if a judgment only orders a new general election, that election shall constitute a separate election.

Present law provides relative to the application of the contribution limits, that for candidates and committees that participate in a general election, the reporting period for the general election shall be deemed to begin the day following the primary election.

Proposed law maintains present law and further provides that if a judgment only orders a new general election, for candidates and committees that participate in the court ordered general election, the reporting period shall be deemed to begin the day following the rendering of the judgment and for candidates and committees that participate in an election held pursuant to present law (R.S. 18:512) the reporting period begins the day following the general election.

(Amends R.S. 18:1483(8), 1491.6(F), 1495.4(F), and 1505.2(H)(3)(a))