

First Extraordinary Session, 2005

HOUSE BILL NO. 134

BY REPRESENTATIVE HUNTER

ELECTED OFFICIALS: (Constitutional Amendment) Provides relative to residency or domicile requirements for qualifying for or holding office when a person has been temporarily displaced by a gubernatorially declared state of emergency (Item #58)

1

A JOINT RESOLUTION

2

Proposing to add Article X, Section 31 of the Constitution of Louisiana, to provide that for

3

purposes of qualifying for and holding office, a person shall not be considered to

4

have vacated his domicile or residence if he was involuntarily displaced from his

5

place of residence or domicile by the effects of a gubernatorially declared state of

6

emergency; to provide for submission of the proposed amendment to the electors;

7

and to provide for related matters.

8

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members

9

elected to each house concurring, that there shall be submitted to the electors of the state of

10

Louisiana, for their approval or rejection in the manner provided by law, a proposal to add

11

Article X, Section 31 of the Constitution of Louisiana, to read as follows:

12

§31. Involuntarily displaced elected officials

13

Section 31. Notwithstanding any provision of this constitution or of any law,

14

home rule charter, or ordinance to the contrary, any person who has been

15

involuntarily displaced from his place of residence or domicile by the effects of a

16

gubernatorially declared state of emergency shall not be considered to have vacated

17

his domicile or residence for purposes of qualifying for or holding office.

1 Section 2. Be it further resolved that this proposed amendment shall be submitted
2 to the electors of the state of Louisiana at the statewide election to be held on February 4,
3 2006.

4 Section 3. Be it further resolved that on the official ballot to be used at said election
5 there shall be printed a proposition, upon which the electors of the state shall be permitted
6 to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall
7 read as follows:

8 To provide that any person who has been involuntarily displaced from his
9 place of residence or domicile by the effects of a gubernatorially declared
10 state of emergency shall not be considered to have vacated his domicile or
11 residence for purposes of qualifying for or holding office. To provide for this
12 provision to be effective notwithstanding any provision of the constitution,
13 law, home rule charter, or ordinance to the contrary. (Adds Article X,
14 Section 31)

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Hunter

HB No. 134

Abstract: Provides that any person who has been involuntarily displaced from his place of residence or domicile by the effects of a gubernatorially declared state of emergency shall not be considered to have vacated his domicile or residence for purposes of qualifying for or holding office.

Proposed constitutional amendment provides that notwithstanding any provision of present constitution or present law to the contrary, any person who has been involuntarily displaced from his place of residence or domicile by the effects of a gubernatorially declared state of emergency shall not be considered to have vacated his domicile or residence for purposes of qualifying for or holding office.

Provides for submission of the proposed amendment to the voters at the statewide election to be held February 4, 2006.

(Adds Const. Art. X, §31)