

Regular Session, 2014

HOUSE BILL NO. 235

BY REPRESENTATIVE RICHARD

ELECTIONS: Provides relative to use of public funds to disseminate certain information relative to a proposition appearing on an election ballot

1 AN ACT

2 To amend and reenact R.S. 18:1465(A), relative to use of public funds in connection with
3 certain elections; to provide relative to the use of public funds for dissemination of
4 information relative to a proposition appearing on an election ballot; to limit such
5 information to information in the proposition or notice of election; to provide for
6 penalties; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:1465(A) is hereby amended and reenacted to read as follows:

9 §1465. Prohibited use of public funds

10 A.(1) No public funds shall be used to urge any elector to vote for or against
11 any candidate or proposition or be appropriated to a candidate or political
12 organization.

13 (2) This ~~provision~~ Subsection shall not prohibit the use of public funds for
14 dissemination of factual information relative to a proposition appearing on an
15 election ballot if such factual information is contained in the proposition or notice
16 of election.

17 * * *

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)]

Richard

HB No. 235

Abstract: Limits information in connection with a proposition on an election ballot that may be disseminated using public funds to information in the proposition or notice of election.

Present law provides procedures and requirements for elections at which a proposition or question is submitted to voters; includes requirements and procedures applicable to bond, debt, and tax elections and requirements and procedures applicable to other types of propositions.

Present law requires the governing authority calling the election to prepare the proposition that is to be submitted to the voters. Requires the proposition to be comprised of simple, unbiased, concise, and easily understood language and be in the form of a question. Limits the length of the proposition to 200 words. Present law, relative to bond, debt, and tax proposition elections, requires publication of a notice of the election and requires the notice to be transmitted to the secretary of state. Present law, relative to other proposition elections, requires written notice of the election to be transmitted to the secretary of state, the commissioner of elections, and each clerk of court and registrar of voters in the area affected by the election. Present law provides for the content of both types of proposition election notices.

Proposed law retains present law.

Present constitution (Art. XI, §4) and present law (R.S. 18:1465) provide that no public funds shall be used to urge any elector to vote for or against any candidate or proposition, or be appropriated to a candidate or political organization. Provides that present constitution and present law do not prohibit the use of public funds for dissemination of factual information relative to a proposition appearing on an election ballot.

Proposed law limits the factual information relative to a proposition that may be disseminated using public funds to information in the proposition or notice of election. Otherwise retains present law.

Present law (R.S. 18:1465) provides that whoever violates present law shall be fined not more than \$1,000 or be imprisoned, with or without hard labor, for not more than two years, or both. Proposed law makes present law penalties applicable to proposed law.

(Amends R.S. 18:1465(A))