

Regular Session, 2014

HOUSE BILL NO. 428

BY REPRESENTATIVE BARRAS

ELECTIONS/CANDIDATES: Repeals provisions of law that allow for a refund of qualifying fees under certain circumstances when a candidate files multiple notices of candidacy

1 AN ACT

2 To amend and reenact R.S. 18:461(B), relative to qualifying for an election; to repeal
3 provisions of law that allow for a refund of qualifying fees under certain
4 circumstances when a candidate files multiple notices of candidacy; to provide for
5 effectiveness; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:461(B) is hereby amended and reenacted to read as follows:

8 §461. Manner of qualifying

9 * * *

10 B. When a candidate has filed multiple notices of candidacy for election to
11 more than one office at the same election, which multiple candidacies would be in
12 violation of R.S. 18:453, the candidate shall be disqualified as a candidate in all the
13 primary and general elections for all but the last of such offices for which he filed
14 notices of candidacy, and any qualifying fees for those offices paid by the candidate
15 shall be refunded as provided in R.S. 18:501. The secretary of state shall include the
16 name of the candidate on the ballot for election to the last of such offices for which
17 the candidate filed notices of candidacy and to no other such office for which dual
18 candidacy would be prohibited.

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

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)]

Barras

HB No. 428

Abstract: Repeals provisions allowing for a refund of qualifying fees under certain circumstances when a candidate files multiple notices of candidacy.

Present law (R.S. 18:453) prohibits a person from becoming a candidate in a primary or general election for more than one office and from becoming a candidate at the same time for two or more different offices to be filled at separate elections. Provides exceptions.

Present law (R.S. 18:461) requires a person who desires to become a candidate in a primary election to qualify by timely filing a notice of candidacy. Provides that when a candidate has filed multiple notices of candidacy for election to more than one office at the same election, which multiple candidacies would be in violation of present law (R.S. 18:453), the candidate shall be disqualified as a candidate in all the primary and general elections for all but the last of such offices for which he filed notices of candidacy. Requires the secretary of state to include the name of the candidate on the ballot for election to the last of such offices for which the candidate filed notices of candidacy and to no other such office for which dual candidacy would be prohibited. Proposed law retains present law.

Present law provides for a refund of qualifying fees under certain circumstances when a person files multiple notices of candidacy. Proposed law repeals present law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 18:461(B))