

Regular Session, 2014

HOUSE BILL NO. 226

BY REPRESENTATIVE DANAHAAY

ELECTIONS/CANDIDATES: Removes the requirement to reopen qualifying when no candidate qualified for an office or when the number of candidates who qualified for an office is less than the number of positions to be filled

1 AN ACT

2 To amend and reenact R.S. 18:469(C) and to repeal R.S. 18:469(B), relative to the reopening
3 of qualifying; to remove the requirement that qualifying be reopened due to no
4 candidate qualifying or due to the number of candidates qualifying for an office
5 being fewer than the number of positions to be filled in that office; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:469(C) is hereby amended and reenacted to read as follows:

9 §469. Reopening of qualifying period; effect

10 * * *

11 C. Whenever the qualifying period is reopened as required by ~~Subsections~~
12 ~~A or B hereof~~ Subsection A of this Section, the clerk of court shall cause notice of
13 the reopening, listing the dates and times the period shall run, to be posted in a
14 prominent place at or near the courthouse door and also in a prominent place in the
15 office of the clerk of court. If the qualifying period is reopened solely for the
16 qualification of one or more municipal candidates, or if the municipal offices to be
17 filled by election are in a building other than the courthouse, the clerk of court shall
18 cause the notice provided for herein to be posted in a prominent place at or near the
19 door of the municipal building for the city for which the candidates are seeking an

1 elective office, as well as in the court house and the clerk's office as ~~above~~ required
2 by this Subsection.

3 * * *

4 Section 2. R.S. 18:469(B) is hereby repealed in its entirety.

5 Section 3. This Act shall become effective upon signature by the governor or, if not
6 signed by the governor, upon expiration of the time for bills to become law without signature
7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
9 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)]

Danahay

HB No. 226

Abstract: Removes the requirement that qualifying be reopened if no candidate qualifies or if the number of candidates who have qualified for an office is fewer than the number of positions to be filled in that office.

Present law provides that qualifying in a primary election is reopened when a person who qualified and had opposition dies after the close of qualifying and before the time for the closing of the polls on the day of the primary election. Present law further provides that qualifying in a primary is reopened if no candidate qualifies or if the number of candidates who have qualified for an office is fewer than the number of positions to be filled in that office. Present law provides procedures and requirements for notice of the reopening, for time periods for such reopening, and if applicable, for the voiding of votes cast in the primary election and for the rescheduled primary and general elections.

Proposed law removes the provision requiring qualifying to be reopened if no candidate qualifies or if the number of candidates who have qualified for an office is fewer than the number of positions to be filled in that office and otherwise retains present law.

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

(Amends R.S. 18:469(C); Repeals R.S. 18:469(B))