

2015 Regular Session

HOUSE BILL NO. 235

BY REPRESENTATIVE ARNOLD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LOCAL GOVERNMENT: (Constitutional Amendment) Authorizes the legislature to provide, by local law, for the incorporation of any area located within a single parish

1 A JOINT RESOLUTION

2 Proposing to amend Article VI, Section 2 of the Constitution of Louisiana, to authorize the
3 legislature to provide, by local law, for the incorporation of any area located within
4 the boundaries of a single parish and to exclude the area from the boundaries of any
5 municipality; to provide for the effectiveness of such boundary change; to provide
6 for submission of the proposed amendment to the electors; and to provide for related
7 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
11 amend Article VI, Section 2 of the Constitution of Louisiana, to read as follows:

12 §2. Municipalities

13 Section 2.(A) The legislature shall provide by general law for the
14 incorporation, consolidation, merger, and government of municipalities. No local
15 or special law shall create a municipal corporation or amend, modify, or repeal a
16 municipal charter. However, a special legislative charter existing on the effective
17 date of this constitution may be amended, modified, or repealed by local or special
18 law.

19 (B) Notwithstanding any contrary provision of this constitution, including
20 Article VI, Sections 4 and 6, the legislature may provide by local law for the
21 incorporation of any area located within the boundaries of a single parish as a
22 municipality within such parish. The legislature may also provide, by local law, for

1 the exclusion of the area from the boundaries of any municipality. Such an exclusion
2 shall not be effective until the effective date of such incorporation.

3 Section 2. Be it further resolved that this proposed amendment shall be submitted
4 to the electors of the state of Louisiana at the statewide election to be held on October 24,
5 2015.

6 Section 3. Be it further resolved that on the official ballot to be used at the election,
7 there shall be printed a proposition, upon which the electors of the state shall be permitted
8 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
9 follows:

10 Do you support an amendment to authorize the legislature to provide, by
11 local law, for the incorporation of any area located within the boundaries of
12 a single parish as a municipality within such parish and to provide for the
13 exclusion of the incorporated area from the boundaries of any existing
14 municipality? (Amends Article VI, Section 2)

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 235 Original

2015 Regular Session

Arnold

Abstract: Authorizes the legislature to provide, by local law, for the incorporation of any area located within a single parish and to change the boundaries of any municipality affected by the incorporation.

Present constitution provides that the legislature shall provide by general law for the incorporation, consolidation, merger, and government of municipalities. Provides that no local or special law shall create a municipal corporation, or amend, modify, or repeal a municipal charter. Present constitution provides, however, that a special legislative charter existing on the effective date of present constitution may be amended, modified, or repealed by local or special law.

Proposed constitutional amendment retains present constitution except authorizes the legislature to provide, by local law, for the incorporation of any area located within a single parish and to provide for the exclusion of the area from the boundaries of any existing municipality. Provides that such exclusion shall not be effective until the effective date of such incorporation.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Oct. 24, 2015.

(Amends Const. Art. VI, §2)