

2018 Regular Session

HOUSE BILL NO. 541

BY REPRESENTATIVE STOKES

LEGISLATIVE SESSIONS: (Constitutional Amendment) Provides for the subject matters considered during regular legislative sessions

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A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A)(3)(b) of the Constitution of Louisiana and to add Article III, Section 2(A)(5) of the Constitution of Louisiana, to provide relative to legislative sessions; to provide for the subject matters considered during regular sessions; to provide relative to the introduction, consideration, and enactment of certain legislation in regular sessions; to provide relative to prefiling of certain proposed legislation; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article III, Section 2(A)(3)(b) and to add Article III, Section 2(A)(5) of the Constitution of Louisiana, to read as follows:

§2. Sessions

Section 2.(A) Annual Session.

* * *

(3)

* * *

(b)(i) No measure levying or authorizing a new tax by the state or by any statewide political subdivision whose boundaries are coterminous with the state;

1 increasing an existing tax by the state or by any statewide political subdivision
2 whose boundaries are coterminous with the state; or legislating with regard to tax
3 exemptions, exclusions, deductions or credits, shall be introduced or enacted during
4 a regular session held in an even-numbered year unless it was prefiled no later than
5 the deadline provided in Subparagraph (2) of this Paragraph.

6 (ii) No member shall prefile more than five such measures pursuant to this
7 Subsubparagraph.

8 * * *

9 (5) Bills to enact laws to carry into effect an amendment to this constitution
10 proposed in a joint resolution shall not be counted in determining whether a member
11 has reached the limit provided in Item (3)(b)(ii) or (4)(b)(i) of this Paragraph.

12 Section 2. Be it further resolved that this proposed amendment shall be submitted
13 to the electors of the state of Louisiana at the statewide election to be held on November 6,
14 2018.

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

19 Do you support an amendment to allow each member of the legislature,
20 during a regular general session in an even-numbered year, to prefile up to
21 five bills that levy or authorize a new tax; increase an existing tax; or
22 legislate with regard to tax exemptions, exclusions, deductions, or credits and
23 to provide that companion bills for constitutional amendments do not count
24 toward the number of bills that a member of the legislature may file that are
25 outside of the applicable subject matter limitations of a regular session?
(Amends Article III, Section 2(A)(3)(b); Adds Article III, Section 2(A)(5))

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 541 Engrossed

2018 Regular Session

Stokes

Abstract: Allows each member of the legislature, during a regular general session in an even-numbered year, to prefile up to five bills that deal with certain tax matters and provides that companion bills for constitutional amendments do not count toward the number of bills that a member of the legislature may file that are outside of the applicable subject matter limitations of a regular session.

Present constitution provides that regular sessions convening in even-numbered years shall be general in nature and prohibits the introduction or enactment of any measure levying or authorizing a new tax or increasing an existing tax by the state or by any statewide political subdivision, or legislating with regard to tax exemptions, exclusions, deductions, or credits.

Proposed constitutional amendment retains present constitution but provides an exception to allow each member of the legislature to prefile up to five otherwise prohibited measures.

Present constitution provides that during regular sessions convening in odd-numbered years no matter shall be introduced or considered unless its object is to enact the General Appropriation Bill or the comprehensive capital budget, to make an appropriation, levy or authorize a new tax, increase an existing tax, levy, authorize, increase, decrease, or repeal a fee, dedicate revenue, legislate with regard to tax exemptions, exclusions, deductions, reductions, repeals, or credits, or legislate with regard to the issuance of bonds; it is a local or special law; or if it is one of no more than five general bills prefiled by a member.

Proposed constitutional amendment provides that bills to enact laws to carry into effect a proposed amendment to the constitution are not counted in determining whether a member has reached the maximum number of bills that he may file that are outside of the applicable subject matter limitations of a regular session provided in proposed law or present law.

Provides for submission of the proposed amendment to the voters at the statewide election to be held November 6, 2018.

(Amends Const. Art. III, §2(A)(3)(b); Adds Art. III, §2(A)(5))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Remove proposed provisions repealing present constitution provisions relative to regular sessions convening in odd-numbered years; proposed provisions repealing present constitution restrictions on the subject matter of items introduced or considered during a regular session; and proposed provisions making calendar and deadlines applicable to even-numbered years in present constitution applicable to all regular sessions.
2. Add provisions that allow each member of the legislature, during a regular general session in an even-numbered year, to prefile up to five bills that levy or authorize a new tax; increase an existing tax; or legislate with regard to tax exemptions, exclusions, deductions, or credits.

3. Add provisions providing that companion bills for constitutional amendments do not count toward the number of bills that a member of the legislature may file that are outside of the applicable subject matter limitations of a regular session.