

2018 Regular Session

SENATE BILL NO. 270

BY SENATOR CARTER

ELECTION CODE. Provides relative to withdrawal of candidates. (gov sig)

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AN ACT

To enact R.S. 18:501(C), relative to the Louisiana Election Code; to provide with respect to the withdrawal and election of candidates; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:501(C) is hereby enacted to read as follows:

§501. Procedure for withdrawal

* * *

C. Notwithstanding the provisions of Subsections A and B of this Section, if there are only two candidates remaining in a primary or general election for a public office, the secretary of state shall accept a notice of withdrawal that is filed prior to 4:30 p.m. on the second day prior to the election. The candidate remaining after the withdrawal is declared elected by the people.

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

The original instrument was prepared by Nancy Vicknair. The following digest, which does not constitute a part of the legislative instrument, was prepared by Tim Prather.

DIGEST

SB 270 Engrossed 2018 Regular Session Carter

Present law provides that a candidate in a primary election may withdraw from the election by filing notice of his withdrawal with the secretary of state prior to 4:30 p.m. on the seventh day after the close of the qualifying period.

Present law provides that the notice of withdrawal will be signed by the candidate and duly acknowledged by him before an officer authorized to administer oaths.

Proposed law provides notwithstanding present law, if there are only two candidates remaining in a primary or general election for a public office, the secretary of state will accept a notice of withdrawal that is filed prior to 4:30 p.m. on the second day prior to the election.

Proposed law provides that the candidate remaining after the withdrawal is declared elected by the people.

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

(Adds R.S. 18:501(C))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and
Governmental Affairs to the original bill

1. Deletes provisions relative to elections compliance units within the Dept. of State.
2. Adds provisions relative to withdrawal of candidates and election of candidates.