

2018 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 101

BY REPRESENTATIVE GREGORY MILLER

ELECTIONS/CANDIDATES: Provides relative to the printing of certain constitutional provisions regarding disqualification from holding elective office that were unconstitutionally adopted

## 1 A CONCURRENT RESOLUTION

2 To authorize and direct the Louisiana State Law Institute to direct the printer of the  
3 Louisiana Constitution to stop printing unconstitutionally adopted provisions relative  
4 to disqualification from seeking or holding an elective office.

5           WHEREAS, the legislature enacted Act No. 1492 of the 1997 Regular Session of the  
6   Legislature of Louisiana, disqualifying certain convicted felons from seeking or holding an  
7   elective office for a certain period of time; and

8           WHEREAS, on October 3, 1998, by a majority vote, the electorate approved Act No.  
9    1492 of the 1997 Regular Session of the Legislature of Louisiana, which was not enrolled  
10   to include all amendments enacted by the legislature; and

WHEREAS, in *Shepherd v. Schedler*, 209 So. 3d 752 (La. 2016), the Louisiana Supreme Court held that Act. No. 1492 of the 1997 Regular Session of the Legislature of Louisiana "which attempted to amend La. Const. Art. I, §10, is null and void because it was not constitutionally adopted"; and

15           WHEREAS, the printer of the Louisiana Constitution continues to print the  
16   constitutional provisions as adopted by the electorate and continues to print footnotes  
17   indicating that the affected provisions are null and void.

18           THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
19   authorize and direct the Louisiana State Law Institute to direct the printer of the Louisiana  
20   Constitution to stop printing the language added by adoption of Act. No. 1492 of the 1997

1 Regular Session of the Legislature of Louisiana to Louisiana Constitution Article I, Section  
2 10 and to direct the printer to print Louisiana Constitution Article I, Section 10 as follows:

3       "§10. Right to Vote

4               Section 10. Every citizen of the state, upon reaching eighteen years of age,  
5       shall have the right to register and vote, except that this right may be suspended  
6       while a person is interdicted and judicially declared mentally incompetent or is under  
7       an order of imprisonment for conviction of a felony."

8       BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge  
9       and request that the printer of the Louisiana Constitution stop printing the footnote regarding  
10      *Shepherd v. Schedler*, 209 So. 3d 752 (La. 2016) that appears at Louisiana Constitution  
11      Article I, Section 10.

12       BE IT FURTHER RESOLVED that two suitable copies of this Resolution be  
13      transmitted to the Louisiana State Law Institute and that the Louisiana State Law Institute  
14      forward one such copy to the printer of the Louisiana Constitution.

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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)]

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HCR 101 Original

2018 Regular Session

Gregory Miller

Authorizes and directs the La. State Law Institute to direct the printer of the La. Constitution to stop printing the language added by Act. No. 1492 of the 1997 R.S., which disqualified certain convicted felons from seeking or holding an elective office for a certain period of time and which the La. Supreme Court held was unconstitutionally enacted.