

RÉSUMÉ DIGEST

ACT 257 (HB 54)

2018 Regular Session

Hollis

Existing constitution (Art. X, §26) requires the legislature to provide by law for the recall by election of any state, district, parochial, ward, or municipal official except judges of the courts of record.

Existing law (R.S. 18:1300.1 et seq.) provides procedures and requirements for recall elections. Requires a petition to be filed with signatures of qualified electors from within the voting area for the office for which the recall election is sought. The petitioner has 180 days to obtain the required number of signatures. The petition must be filed with the registrar of voters for each parish within the voting area. Requires the registrar to certify the number of valid signatures on the petition. If the required number of qualified electors of the voting area sign the recall petition, the governor must order an election to vote on the question of the recall of the official.

Existing law (R.S. 18:1300.2) provides that the number of signatures required to call a recall election is at least a certain minimum percentage of the number of electors in the voting area for which a recall election is petitioned.

Existing law provides that the minimum percentage of electors who must sign the petition is 40% if fewer than 1,000 electors reside in the district.

Prior law provided that the minimum percentage of electors required to sign the petition was 33-1/3% if 1,000 or more electors resided in the district.

New law repeals prior law. Provides for the following minimum percentages to call a recall election in election districts wherein 1,000 or more electors reside:

- (1) 33-1/3% if 1,000 or more but fewer than 25,000 qualified electors reside within the voting area.
- (2) 25% if 25,000 or more but fewer than 100,000 qualified electors reside within the voting area.
- (3) 20% if 100,000 or more qualified electors reside within the voting area.

New law additionally requires the petition to contain a clear statement of the reason or reasons for the recall.

Effective upon signature of governor (May 15, 2018).

(Amends R.S. 18:1300.2(B); Adds R.S. 18:1300.6)