

SENATE BILL NO. 36

BY SENATOR BERNARD

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AN ACT

To amend and reenact R.S. 18:470(A)(1), relative to qualifying for a primary election; to provide relative to notice of candidacy; to limit the clerk of court and the secretary of state from verifying the qualifications of a potential candidate; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:470(A)(1) is hereby amended and reenacted to read as follows:

§470. Disposition of notices of candidacy; qualifying fees; nomination petitions

A. Notices of candidacy. (1) Upon receipt **and acceptance** of a notice of candidacy **that meets the requirements of R.S. 18:463**, the secretary of state or the clerk of court, as the case may be, shall endorse upon it the date and time of filing and either the amount of the qualifying fee paid by the candidate or a statement that a nominating petition was filed by the candidate. **The acceptance of a notice of candidacy that meets the requirements of R.S. 18:463 by the secretary of state or the clerk of court is mandatory and ministerial and the secretary of state or the clerk of court shall not have discretion to verify the qualifications of a potential candidate.** If a candidate qualifies in person, a certified copy of the original notice of candidacy shall be furnished to the candidate at the time he qualifies with the qualifying official but after the date and time have been endorsed thereon. If a candidate qualifies by submitting his notice of candidacy by certified mail, commercial carrier, or agent, the qualifying official shall mail a certified copy of the original notice of candidacy after the date and time have been endorsed thereon to the candidate at the address of his domicile as set forth in the notice of candidacy within forty-eight hours after receipt of the notice of candidacy.

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

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_