2022 Regular Session

HOUSE BILL NO. 166

BY REPRESENTATIVE GREGORY MILLER

GOVERNOR/POWERS-VETO: (Constitutional Amendment) Provides relative to the timing of gubernatorial action on a bill

A JOINT RESOLUTION

Proposing to amend Article III, Section 18(A) and (B) of the Constitution of Louisiana, to provide relative to gubernatorial action on a bill and matters related thereto; 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 18(A) and (B) of the Constitution of Louisiana, to read as follows:

§18. Gubernatorial Action on Bills; Sign, Failure to Sign, Veto; Veto Session

Section 18.(A) Gubernatorial Action. If the governor does not approve a bill, he may veto it. A bill, except a joint resolution, shall become law if the governor signs it or if he fails to sign or veto it within ten days after delivery to him if the legislature is in <u>the</u> session <u>in which the bill passed</u> on the tenth day after such delivery, or within twenty days after delivery if the tenth day after delivery occurs after the ~~legislature~~ <u>legislative session in which the bill passed</u> is adjourned.

(B) Veto Message. If the governor vetoes a bill, he shall return it to the legislature, with his veto message<u>,</u> within twelve days after delivery to him if the legislature is in <u>the</u> session <u>in which the bill passed</u>. If the governor returns a vetoed

CODING: Words in ~~struck through~~ type are deletions from existing law; words <u>underscored</u> are additions.

bill after the ~~legislature adjourns~~ legislative session in which the bill passed is adjourned, he shall return it, with his veto message, as provided by law.

* * *

Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on November 8, 2022.

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

Do you support an amendment to clarify that the timing of gubernatorial action on a bill and his return of a vetoed bill to the legislature is based upon the legislative session in which the bill passed? (Amends Article III, Section 18(A) and (B))

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 166 Original 2022 Regular Session Gregory Miller

Abstract: Clarifies that the deadline for gubernatorial action on a bill is based upon the legislative session in which the bill passed.

Present constitution provides that if governor does not approve a bill, he may veto it. Provides that a bill shall become law if the governor signs it or if he fails to sign or veto it within 10 days after delivery to him if the legislature is in session on the 10th day after such delivery, or within 20 days after delivery if the 10th day after delivery occurs after the legislature is adjourned. Provides that if the governor vetoes a bill, he shall return it to the legislature, with his veto message within 12 days after delivery to him if the legislature is in session and if the governor returns a vetoed bill after the legislature adjourns, he shall return it, with his veto message, as provided by law.

Proposed constitutional amendment relates the deadline for gubernatorial action on a bill and the deadline for the governor returning a vetoed bill to the legislature to the session in which the bill passed and otherwise retains the present constitution.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 8, 2022.

(Amends La. Const. Art. III, §18(A) and (B))

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.