
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 212 Original

2023 Regular Session

Hollis

Abstract: Provides that the number of electors required to sign a recall petition shall be a percentage of the number of electors who voted in the contest electing the public official to his office, or if the public official was elected without opposition, the number of electors in the voting area who voted in the most recent election for an office that encompassed the voting area.

Present law provides that a petition to recall an elected official shall be signed by a percentage of the total number of electors of the voting area wherein and for which a recall election is petitioned.

Present law further provides that if fewer than 1,000 qualified electors reside within the voting area, the petition shall be signed by at least 40% of the electors. If 1,000 or more but fewer than 25,000 qualified electors reside within the voting area, the petition shall be signed by at least 33 1/3% percent of the electors. If 25,000 or more but fewer than 100,000 qualified electors reside within the voting area, the petition shall be signed by at least 25% of the electors. If 100,000 or more qualified electors reside within the voting area, the petition shall be signed by at least 20% of the electors.

Proposed law retains the present law percentages in each population range, but changes the number the percentage is based upon from the number of qualified electors in the voting area to the number of electors who voted in the contest electing the public official to his office. Further provides that if the public official was elected without opposition, the percentage shall be based upon the number of electors in the voting area who voted in the most recent election for an office that encompassed the voting area.

Present law requires the secretary of state to produce a report of the number of qualified electors in the voting area wherein the recall election is sought effective on the date of receipt of the recall petition and shall notify the registrar of voters in each parish in the voting area of the number of qualified electors of the voting area in the parish for issuance of the certification.

Proposed law retains present law and additionally requires the secretary of state to notify the registrar of voters of the number of electors who voted in the contest electing the public official to his office, or if the public official was elected without opposition, the number of electors in the voting area who voted in the most recent election for an office that encompassed the voting area.

Present law requires the registrar of voters of each parish in the voting area wherein a recall election is sought to certify on the recall petition the number of names appearing thereon, the number of qualified electors of the voting area within the parish whose handwritten signatures appear on the

petition, and also the total number of electors of the voting area within the parish as of the date of the filing of the petition with the secretary of state.

Proposed law instead requires the registrar of voters to certify the number of names appearing on the petition, the number of qualified electors of the voting area within the parish whose handwritten signatures appear on the petition, and the total number of electors who voted in the contest electing the public official to his office, or if the public official was elected without opposition, the number of electors in the voting area who voted in the most recent election for an office that encompassed the voting area.

Present law requires the governor issue a proclamation ordering an election to be held for the purpose of voting on the question of the recall of the officer if the required number of qualified electors of the voting area sign the petition for recall. Proposed law retains present law.

Present law further requires that the total number of registered voters in the voting area and the total number of registered voters in the voting area signing the petition be calculated from the totals on the certificates of all of the registrars of voters received by the governor.

Proposed law instead requires that the totals calculated from the certificates received by the governor shall reflect the total number of registered voters in the voting area, the total number of registered voters in the voting area signing the petition, and the number of electors who voted in the contest electing the public official to his office, or if the public official was elected without opposition, the number of electors in the voting area who voted in the most recent election for an office that encompassed the voting area.

(Amends R.S. 18:1300.2(B) and (C)(1), 1300.3(A), 1300.7(A), and 1300.8(B))