

2024 Regular Session

SENATE BILL NO. 13

BY SENATOR SEABAUGH

ELECTION CODE. Prohibits an elected official who has been removed from office from filling the vacancy created by the removal. (8/1/24)

1 AN ACT

2 To amend and reenact R.S. 18:586, relative to vacancies in an elected office; to provide
3 relative to the removal from office of an elected official; to provide relative to
4 appointments and elections to fill such a vacancy; to provide for a prohibition; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:586 is hereby amended and reenacted to read as follows:

8 §586. Vacancies caused by retirement, ~~or resignation,~~ **or removal**; prohibitions

9 A. No elected official who has ~~retired or resigned~~ **retired, resigned, or been**
10 **removed** from state or local elective office shall be appointed to succeed himself in
11 the office from which the official ~~retired, or resigned,~~ **or was removed, unless the**
12 **removal was due to a defect that is capable of being legally cured prior to**
13 **qualifying for the election to fill the vacancy.**

14 B. No elected official who has ~~retired or resigned~~ **retired, resigned, or been**
15 **removed** from state or local elective office shall be eligible as a candidate at an
16 election called to fill the vacancy created by the retirement, ~~or resignation,~~ **or**
17 **removal** of the elected official, **unless the removal was due to a defect that is**

1 capable of being legally cured prior to qualifying for the election to fill the
2 vacancy.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Matt DeVille.

DIGEST

SB 13 Engrossed

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Seabaugh

Present law provides that a state or local elected official who retires or resigns from office is ineligible to be appointed to succeed himself in the office from which he retired or resigned.

Present law further provides that a state or local elected official who retires or resigns from office is ineligible to be a candidate for an election to fill the vacancy in the office resulting from his retirement or resignation.

Proposed law retains present law and further provides that a state or local elected official who is removed from office is ineligible to fill the vacancy created by his removal unless the removal was due to a defect that is capable of being legally cured prior to qualifying for the election to fill the vacancy.

Effective August 1, 2024.

(Amends R.S. 18:586)

Summary of Amendments Adopted by SenateCommittee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

1. Provide that an official who is removed from office due to a defect that is capable of being legally cured prior to qualifying for the election to fill vacancy may run in the election if he is able to timely cure the defect.