

SENATE BILL NO. 462

BY SENATOR HODGES

1 AN ACT

2 To amend and reenact R.S. 42:4, relative to gubernatorial appointments; to provide for the
3 appointment of the chairman or the presiding member from among the members of
4 certain boards and commissions; to provide for certain terms; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 42:4 is hereby amended and reenacted to read as follows:

8 §4. Public officers appointed by the Governor

9 A.(1) ~~In all other cases~~ **Except as otherwise provided by law**, all public
10 officers who are appointed by the Governor shall serve at the pleasure of the
11 Governor.

12 ~~(2) This Section Paragraph (1) of this Subsection~~ shall not apply to officers
13 appointed by the Governor upon recommendation or from lists submitted by others
14 where the law requires appointments to be so made, nor to those whose terms of
15 office are fixed by the constitution and those who are required by the constitution to
16 be appointed with the advice and consent of the Senate.

17 ~~B. This Section shall not apply to the Louisiana State Board of Public~~
18 ~~Welfare, the Louisiana Merit System Council, the Board of Review, and the State~~
19 ~~Advisory Council of the office of employment security of the Louisiana Workforce~~
20 ~~Commission.~~

21 **B.(1) Notwithstanding any other provision of law to the contrary, the**
22 **governor may appoint the chairman or the presiding member of each board and**
23 **commission so long as both of the following criteria apply:**

24 **(a) The majority of the members of the board or commission are**
25 **members of the board or commission by virtue of gubernatorial appointment.**

26 **(b) The appointment of the chairman or the presiding member is not**
27 **otherwise prohibited by the Constitution of Louisiana.**

1 (2) If the governor appoints the chairman or the presiding member of a
2 board or commission, then the appointment shall be from among the
3 membership of that board or commission.

4 (3) The governor shall submit the name of persons appointed pursuant
5 to this Subsection to the Senate for confirmation.

6 (4) A chairman or presiding member of a board or commission
7 appointed by the governor pursuant to this Subsection and confirmed by the
8 Senate serves in that position at the pleasure of the governor.

9 (5) Until the governor appoints a chairman or presiding member of a
10 board or commission pursuant to this Subsection, a board or commission may
11 select its chairman or presiding member in the manner otherwise provided by
12 law or in its rules, regulations, or bylaws.

13 C. The provisions of Subsection B of this Section shall not apply to any
14 board or commission that as of May 1, 2024, is chaired by a statewide elected
15 official.

16 Section 2. For terms of office beginning January 8, 2024, any election or appointment
17 made pursuant to the provisions of this Act shall occur not later than August 1, 2024.

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

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____