

SENATE BILL NO. 140

BY SENATOR BASS

1 AN ACT

2 To amend and reenact R.S. 18:493 and to enact R.S. 47:1508(A)(4), relative to objections
3 to candidacy; to provide relative to court proceedings; to provide for use of a
4 properly executed affidavit in lieu of live testimony; to provide for an effective date;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:493 is hereby amended and reenacted to read as follows:

8 §493. Time for objecting to candidacy

9 A. An action objecting to candidacy shall be commenced in a court of
10 competent jurisdiction within seven days after the close of qualifications for
11 candidates in the primary election. However, if the time interval ends on a Saturday,
12 Sunday, or other legal holiday, then noon of the next day which is not a Saturday,
13 Sunday, or legal holiday shall be deemed to be the end of the time interval. After the
14 expiration of the time period set forth in this Section, no action shall be commenced
15 objecting to candidacy based on the grounds for objections to candidacy contained
16 in R.S. 18:492 above.

17 **B.(1) Neither the secretary of the Department of Revenue nor any**
18 **employee engaged in the administration or charged with the custody of any**
19 **records or files of the Department of Revenue shall be subject to subpoena or**
20 **otherwise required to appear in court for any matter filed pursuant to this**
21 **Section.**

22 **(2) In lieu of live testimony, a properly executed affidavit issued by the**
23 **secretary of the Department of Revenue or his designee shall serve as sufficient**
24 **confirmation as to the accuracy of the records and files of the secretary of the**
25 **Department of Revenue for such purposes.**

26 * * *

27 Section 2. R.S. 47:1508(A)(4) is hereby enacted to read as follows:

1 §1508. Confidentiality of tax records

2 A. * * *

3 (4)(a) Neither the secretary nor any employee engaged in the
4 administration or charged with the custody of any records or files shall be
5 subject to subpoena or otherwise required to appear in court for any challenge
6 to candidacy filed pursuant to the provisions of Title 18.

7 (b) In lieu of live testimony, a properly executed affidavit issued by the
8 secretary of the Department of Revenue or his designee shall serve as sufficient
9 confirmation as to the accuracy of the records and files of the secretary of the
10 Department of Revenue for such purposes.

11 * * *

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

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____