
DIGEST

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HB 113 Original

2016 Regular Session

Broadwater

Abstract: Requires a proposed constitutional amendment to be approved by the legislature in two legislative sessions in successive years before being submitted to the electors for ratification.

Present constitution (Art. III, § 1) provides that constitutional amendments may be proposed by joint resolution at any regular session of the legislature if prefiled at least 10 days before the beginning of the session or 45 days if it affects a public retirement system. Provides that an amendment may be proposed at any extraordinary session of the legislature if it is within the objects of the call of the session and is introduced in the first five calendar days of the session.

Present constitution requires approval of two-thirds of the elected members of each house to pass the resolution, pursuant to all of the procedures and formalities required for passage of a bill except submission to the governor.

Proposed constitutional amendment retains present constitution.

Present constitution provides that after the legislature passes the joint resolution, it is submitted to the electors for ratification.

Proposed constitutional amendment provides instead that after the legislature passes the joint resolution, it is entered on their journals, the name and vote of each member recorded. Requires the resolution to be referred to the legislature for concurrence or rejection at the regular session in the next year. Provides that if at such regular session two-thirds of the elected members of each house concur in the resolution, the legislature submits the proposed amendment to the electors for their ratification or rejection in such manner and at such time as the legislature shall prescribe and not sooner than 90 days after concurrence by the legislature.

Present constitution requires each joint resolution to specify the statewide election at which the proposed amendment is to be submitted to the electors. Proposed constitutional amendment repeals present constitution.

Present constitution requires the secretary of state to have the proposed amendment published once in the official journal of each parish within not less than 30 nor more than 60 days preceding the election at which the proposed amendment is to be submitted to the electors. Authorizes the legislature to provide by law for special elections for submitting proposed amendments to the people.

Present constitution provides that if a majority of the electors voting on the proposed amendment

approve it, the governor must proclaim its adoption, and the amendment becomes part of the constitution, effective 20 days after the proclamation, unless the amendment provides otherwise. Provides that a proposed amendment directly affecting not more than five parishes or areas within not more than five parishes becomes part of the constitution only when approved by a majority of the electors voting thereon in the state and also a majority of the electors voting thereon in each affected parish. Provides, however, that a proposed amendment directly affecting not more than five municipalities, and only such municipalities, becomes part of the constitution only when approved by a majority of the electors voting thereon in the state and also a majority of the electors voting thereon in each such municipality.

Present constitution provides for the form of a joint resolution that proposes an amendment to the constitution.

Proposed constitutional amendment retains present constitution.

Present constitution (Art. III, § 1) provides that a bill or resolution not finally passed in any session shall be withdrawn from the files of the legislature. Proposed constitutional amendment retains present constitution and adds an exception for a joint resolution referred to the legislature in a subsequent session as provided in proposed constitutional amendment.

Provides for submission of the proposed amendment to the voters at the statewide election to be held November 8, 2016.

(Amends Art. III, § 1(B) and Art. XIII, § 1(A)(1))