
DIGEST

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HB 583 Reengrossed

2016 Regular Session

Broadwater

Abstract: Repeals the deadlines for a candidate to withdraw from an election.

Present law (R.S. 18:501, 1256, and 1280.22) allows a candidate to withdraw from an election by filing notice of his withdrawal with the secretary of state. Requires the notice to be signed by the candidate and duly acknowledged by him before an officer authorized to administer oaths. Requires the secretary of state to forward a copy of a notice of withdrawal filed by a local or municipal candidate to the president of the board of election supervisors and the clerk of court of the parish in which the candidate qualified.

Present law provides that a notice of withdrawal shall be effective when it is filed with the secretary of state if the notice satisfies the requirements of present law or was filed pursuant to a court order as provided in present law (R.S. 18:494(B)), and the candidate who filed the notice no longer shall be qualified as a candidate in the election from which he withdrew. Provides that if the election ballot was printed with a withdrawn candidate's name on it, any votes received by the withdrawn candidate shall be null and void and shall not be counted for any purpose whatsoever.

Proposed law retains present law.

Present law limits the time period during which a candidate may withdraw from an election. Provides that the candidate must file notice of his withdrawal prior to 4:30 p.m. on the seventh day after the close of the qualifying period to withdraw from a primary and prior to 4:30 p.m. on the ninth day after the date of the primary election to withdraw from a general election.

Proposed law repeals present law.

Proposed law relative to presidential elections provides that a notice of withdrawal shall not be returned to the person withdrawing.

Effective January 1, 2017.

(Amends R.S. 18:501, 503(A)(1), 1256, and 1280.22(C))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Add an effective date of Jan. 1, 2017.