

**ACT No. 792**

Regular Session, 2014

HOUSE BILL NO. 431

BY REPRESENTATIVE TIM BURNS AND SENATOR THOMPSON

1 AN ACT

2 To amend and reenact R.S. 18:402(C)(1)and (2), (E)(1)(c) and (2)(c), and (F)(3) and  
3 1280.21(A) and 1505.4 (C), relative to Campaign Finance Disclosure; to provide  
4 relative to penalties applicable to certain political committees for participation in  
5 specified elections; to provide for presidential preference primary elections and  
6 elections held at the same time as such primary; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:402(C)(1)and (2), (E)(1)(c) and (2)(c), and (F)(3) and 1280.21(A)  
9 and 1505.4(C) are hereby amended and reenacted to read as follows:

10 §402. Dates of primary and general elections

11 \* \* \*

12 C. Municipal and ward elections. In all municipalities with a population of  
13 less than three hundred thousand, elections for municipal and ward officers who are  
14 not elected at the same time as the governor or members of congress shall be held  
15 every four years.

16 (1) Primary elections for municipal and ward officers who are not elected at  
17 the same time as the governor or members of congress shall be held on the first  
18 Saturday in April of an election year, or on the ~~third~~ first Saturday ~~after the first~~  
19 ~~Tuesday~~ in March of the presidential election year.

20 (2) General elections for municipal and ward officers who are not elected at  
21 the same time as the governor or members of congress shall be held on the fourth  
22 Saturday after the first Saturday in April of an election year unless the primary  
23 election for such officers is held on the ~~third~~ first Saturday ~~after the first Tuesday~~ in

1 March; in such case, the general election shall be held on the fourth Saturday after  
2 the ~~third~~ first Saturday after the first Tuesday in March of an election year.

3 \* \* \*

4 E. Special elections to fill newly created office or vacancy in office. An  
5 election to fill a newly created office or vacancy in an existing office, except the  
6 office of representative in congress, shall be held on the dates fixed by the  
7 appropriate authority in the proclamation ordering a special election as follows:

8 (1)

9 \* \* \*

10 (c) The first Saturday in April, when the special general election is held on  
11 the fourth Saturday after the first Saturday in April or on the ~~third~~ first Saturday ~~after~~  
12 ~~the first Tuesday~~ in March during the presidential election year; however,  
13 commencing in 1986 and every fourth year thereafter, this date shall not be  
14 applicable in a parish containing a municipality with a population of three hundred  
15 thousand or more.

16 \* \* \*

17 (2) A special general election shall be held on one of the following days:

18 \* \* \*

19 (c) The fourth Saturday after the first Saturday in April of any year unless  
20 the primary election is held on the ~~third~~ first Saturday ~~after the first Tuesday~~ in  
21 March; in such case, the general election shall be held on the fourth Saturday after  
22 the ~~third~~ first Saturday after the first Tuesday in March; however, commencing in  
23 1986 and every fourth year thereafter, this date shall not be applicable in a parish  
24 containing a municipality with a population of three hundred thousand or more.

25 \* \* \*

26 F. Bond, tax, or other elections. Every bond, tax, or other election at which  
27 a proposition or question is to be submitted to the voters shall be held only on one  
28 of the following dates:

29 \* \* \*

1 (3) The first Saturday in April or the fourth Saturday after the first Saturday  
 2 in April of any year or on the ~~third~~ first Saturday ~~after the first Tuesday~~ in March or  
 3 the fourth Saturday after the ~~third~~ first Saturday ~~after the first Tuesday~~ in March  
 4 during the presidential election year; however, commencing in 1994 and every fourth  
 5 year thereafter, the first Saturday in April shall not be applicable in a parish  
 6 containing a municipality with a population of three hundred thousand or more.

7 \* \* \*

8 §1280.21. Presidential preference primary election

9 A. A statewide presidential preference primary election shall be held on the  
 10 first Saturday in March in 2016 and every fourth year thereafter for the purpose of  
 11 allowing the electors of each political party in the state which has forty thousand or  
 12 more registered members to express their preference for a person to be the nominee  
 13 of the party for president of the United States.

14 \* \* \*

15 §1505.4. Civil penalties; failure to file; timely and accurate filing; forfeiture

16 \* \* \*

17 C.(1) Notwithstanding the provisions of Subsection A of this Section and the  
 18 provisions of R.S. 18:1511.4.1, for ~~committees that are~~ a committee that is  
 19 supporting, opposing, or otherwise influencing the nomination or election of a person  
 20 to public office, the maximum amount of the penalty that shall be imposed for  
 21 knowingly failing to file or knowingly failing to timely file any ~~reports~~ report  
 22 required by this Chapter for a special election shall be the total of the expenditures  
 23 made for the purpose of supporting, opposing, or otherwise influencing the  
 24 nomination or election of a person or persons to public office in such special election  
 25 or the maximum penalty under the provisions of Subsection A of this Section,  
 26 whichever is less.

27 (2) Notwithstanding any other provision of this Section and the provisions  
 28 of R.S. 18:1511.4.1, for a committee that is supporting, opposing, or otherwise  
 29 influencing the nomination or election of a person to public office that has made an  
 30 expenditure in the form of a direct contribution to a candidate who was an elected

1        official at the time of the contribution and who determines, after the contribution was  
2        made, to seek an office other than the office the candidate held at the time the  
3        contribution was made, no penalty for knowingly failing to timely file shall be  
4        assessed provided the contribution was disclosed on a report filed by the political  
5        committee prior to the election in which the candidate participates.

6                (3) This Subsection shall not apply to a candidate's principal campaign  
7        committee or any designated subsidiary committee of a candidate.

8    \*        \*        \*

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_

PRESIDENT OF THE SENATE

\_\_\_\_\_

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_