

2022 Regular Session

HOUSE BILL NO. 498

BY REPRESENTATIVE GREEN

LEGISLATIVE SESSIONS: (Constitutional Amendment) Provides for timing and duration of regular legislative sessions

1 A JOINT RESOLUTION

2 Proposing to amend Article III, Sections 2(A)(1) and (3) and (D), 5(A), and 19 of the

3 Constitution of Louisiana and to repeal Article III, Sections 2(A)(4) of the

4 Constitution of Louisiana, to provide for regular legislative sessions; to provide for

5 the timing and duration of such sessions; to provide relative to the date legislators

6 take office; to provide for the effective date of laws enacted during the regular

7 session; to provide for submission of the proposed amendment to the electors; and

8 to provide for related matters.

9 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members

10 elected to each house concurring, that there shall be submitted to the electors of the state of

11 Louisiana, for their approval or rejection in the manner provided by law, a proposal to

12 amend Article III, Sections 2(A)(1) and (3) and (D), 5(A), and 19 of the Constitution of

13 Louisiana, to read as follows:

14 §2. Sessions

15 Section 2.(A) Annual Session. (1) The legislature shall meet annually in

16 regular session ~~for a limited number of legislative days in the state capital. A~~

17 ~~legislative day is a calendar day on which either house is in session.~~

18 * * *

19 (3)(a) All regular sessions ~~convening in even-numbered years shall be~~

20 ~~general in nature and shall convene at noon on the second Monday in March~~ January

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 fifth. ~~The legislature shall meet in such a session for not more than sixty legislative~~
2 ~~days during a period of eighty-five calendar days. No such session shall continue~~
3 ~~beyond six o'clock in the evening of the eighty-fifth calendar day after convening~~
4 midnight on July first. ~~No new matter intended to have the effect of law shall be~~
5 ~~introduced or received by either house after six o'clock in the evening of the twenty-~~
6 ~~third calendar day. No matter intended to have the effect of law, except a measure~~
7 ~~proposing a suspension of law, shall be considered on third reading and final passage~~
8 ~~in either house after six o'clock in the evening of the fifty-seventh legislative day or~~
9 ~~the eighty-second calendar day, whichever occurs first, except by a favorable record~~
10 ~~vote of two-thirds of the elected members of each house.~~

11 (b) ~~No measure levying or authorizing a new tax by the state or by any~~
12 ~~statewide political subdivision whose boundaries are coterminous with the state;~~
13 ~~increasing an existing tax by the state or by any statewide political subdivision~~
14 ~~whose boundaries are coterminous with the state; or legislating with regard to tax~~
15 ~~exemptions, exclusions, deductions or credits, shall be introduced or enacted during~~
16 ~~a regular session held in an even-numbered year. Every four years beginning in~~
17 2024, the organizational session, as provided for in Paragraph D of this Section, shall
18 be held concurrently with the start of the regular session.

19 * * *

20 (D) Organizational Session. The legislature shall meet in an organizational
21 session in the state capitol to be convened at ten o'clock in the morning on the day
22 the members are required to take office. No such session shall exceed three
23 legislative days. A legislative day is a calendar day on which either house is in
24 session. The session shall be for the primary purpose of judging the qualifications
25 and elections of the members, taking the oath of office, organizing the two houses,
26 and selecting officers. No matter intended to have the effect of law shall be
27 introduced at an organizational session.

28 * * *

1 §5. Taking Office

2 Section 5.(A) Full Term. Members of the legislature shall take office at ten
3 o'clock in the morning on ~~the same day as the governor and other officials elected~~
4 statewide January fifth.

5 * * *

6 §19. Effective Date of Laws

7 Section 19. All laws enacted during a regular session of the legislature shall
8 take effect on ~~August~~ September first of the calendar year in which the regular
9 session is held and all laws enacted during an extraordinary session of the legislature
10 shall take effect on the sixtieth day after final adjournment of the extraordinary
11 session in which they were enacted. All laws shall be published prior thereto in the
12 official journal of the state as provided by law. However, any bill may specify an
13 earlier or later effective date.

14 Section 2. Be it further resolved by the Legislature of Louisiana, two-thirds of the
15 members elected to each house concurring, that there shall be submitted to the electors of
16 the state of Louisiana, for their approval or rejection in the manner provided by law, a
17 proposal to repeal Article III, Section 2(A)(4) of the Constitution of Louisiana.

18 Section 3. Be it further resolved that this proposed amendment shall be submitted
19 to the electors of the state of Louisiana at the statewide election to be held on November 8,
20 2022.

21 Section 4. Be it further resolved that on the official ballot to be used at the election,
22 there shall be printed a proposition, upon which the electors of the state shall be permitted
23 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
24 follows:

25 Do you support an amendment to change the timing and duration of regular
26 legislative sessions? (Amends Article III, Sections 2(A)(1) and (3) and (D),
27 5(A), and 19; Repeals Article III, Section 2(A)(4))

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 498 Engrossed

2022 Regular Session

Green

Abstract: Changes the timing and duration of regular legislative sessions; regular sessions would begin on Jan. 5th and end by July 1st each year.

Present constitution provides that regular sessions convening in even-numbered years convene at noon on the second Monday in March and last not more than 60 legislative days during 85 calendar days. Provides that regular sessions convening in odd-numbered years convene at noon on the second Monday in April and last not more than 45 legislative days during 60 calendar days.

Proposed constitutional amendment provides that all regular sessions, regardless of year, begin on Jan. 5th and end before July 1st and are general in nature. Removes provision providing for limited sessions.

Present constitution provides that the deadline for introducing new matters in a regular session is the 23rd calendar day in an even-numbered year and the 10th calendar day in an odd-numbered year.

Proposed constitutional amendment removes the deadline for introducing new matters.

Present constitution provides that laws enacted during a regular session become effective on Aug. 1st unless the Act provides otherwise.

Proposed constitutional amendment changes the normal effective date of laws enacted in a regular session to Sept. 1.

Present constitution provides that members of the legislature take office on the same day as the governor and other statewide elected officials.

Proposed constitutional amendment provides that members of the legislature take office on Jan. 5th.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 8, 2022.

(Amends Const. Art. III, §2(A)(1) and (3) and (D), 5(A), and 19; Repeals Const. Art. III, §2(A)(4))