

Regular Session, 2010

HOUSE BILL NO. 62

BY REPRESENTATIVE ABRAMSON

LIEUTENANT GOVERNOR: Prohibits a person appointed to fill a vacancy in the office of lieutenant governor when the unexpired term exceeds one year from being a candidate in the election to fill the remainder of the term

1 AN ACT

2 To enact R.S. 18:584, relative to candidates for election to fill a vacancy in the office of
3 lieutenant governor; to prohibit a person appointed to the office when the unexpired
4 term exceeds one year from being a candidate in the subsequent election to fill the
5 remainder of the unexpired term; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:584 is hereby enacted to read as follows:

8 §584. Election to fill vacancy in office of lieutenant governor; candidates

9 Notwithstanding any provision of law to the contrary including any provision
10 of R.S. 18:582, when a vacancy occurs in the office of lieutenant governor and the
11 unexpired term exceeds one year, no person who is appointed to fill the vacancy and
12 serves as lieutenant governor pursuant to Article IV, Section 15 of the Constitution
13 of Louisiana shall be a candidate in the election to fill the remainder of the unexpired
14 term.

15 Section 2. This Act shall become effective upon signature by the governor or, if not
16 signed by the governor, upon expiration of the time for bills to become law without signature
17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
18 vetoed by the governor and subsequently approved by the legislature, this Act shall become
19 effective on the day following such approval.

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)]

Abramson

HB No. 62

Abstract: Prohibits a person appointed to fill a vacancy in the office of lieutenant governor when the unexpired term exceeds one year from being a candidate in the subsequent election to fill the remainder of the unexpired term.

Present constitution (Art. IV, §15) requires, if a vacancy occurs in the office of lieutenant governor, that the governor nominate a lieutenant governor who takes office upon confirmation by a majority vote of the elected members of each house of the legislature. Provides that, if the unexpired term exceeds one year, such person shall serve as lieutenant governor only until the office is filled by election. Present constitution (Art. IV, §16(B)) requires that such election be held at the next regularly scheduled congressional or statewide election, except if no such election date is available within a year of the vacancy, the office must be filled by election at a special election called by the governor.

Proposed law prohibits a person who is appointed and serves as lieutenant governor when a vacancy occurs in the office and the unexpired term exceeds one year from being a candidate in the election to fill the remainder of the unexpired term. Specifies that proposed law applies notwithstanding any provision of law to the contrary including any provision of R.S. 18:582.

Present law (R.S. 18:582) provides that the La. Election Code applies to the filling of vacancies for all offices in the state and its political subdivisions, but excepts those offices for which specific provision otherwise is made or provided for in the constitution.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 18:584)