

Regular Session, 2010

HOUSE BILL NO. 671

BY REPRESENTATIVE LAFONTA

1 AN ACT

2 To amend and reenact R.S. 18:451.3, 463(A)(2)(a)(iv), and to enact R.S. 18:492(A)(7),
3 relative to the Louisiana Election Code; to provide relative to precinct changes; to
4 authorize an exception to residency requirements for persons displaced by
5 gubernatorially declared emergencies; to provide qualifications for candidacy for
6 public office, notice of candidacy, and grounds for objection to candidacy; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 18:451.3 and 463(A)(2)(a)(iv) are hereby amended and reenacted and
10 R.S. 18:492(A)(7) is hereby enacted to read as follows:

11 §451.3. Displaced persons seeking to qualify; domicile, residence

12 ~~In the event~~ If the qualifications for an office include a residency or ~~domicile~~
13 domiciliary requirement, any person who is seeking election to such office and who
14 has been involuntarily displaced from his ~~place of~~ residence or domicile by the
15 effects of a gubernatorially declared state of emergency shall not be considered to
16 have vacated his domicile or residence for purposes of qualifying for ~~or~~ and
17 subsequently holding office, unless he has either any of the following is true:

18 (1) He has established a new domicile.

19 (2) ~~or~~ He has changed his registration to an address outside the voting
20 district in which he seeks election.

21 (3) One year has passed since the end of the declared state of emergency.

22 §463. Notice of candidacy; financial ~~statements~~ disclosure; political advertising;
23 penalties

24 A.

25 * * *

1 (2)(a) The notice of candidacy also shall include a certificate, signed by the
2 candidate, certifying all of the following:

3 * * *

4 ~~(iv) That he has attached to the notice of his candidacy the financial statement~~
5 ~~required by Subsection B of this Section, if applicable.~~ Except for a candidate for
6 United States senator or representative in Congress, that for each of the previous five
7 tax years, he has filed his federal and state income tax returns, has filed for an
8 extension of time for filing either his federal or state income tax return or both, or
9 was not required to file either a federal or state income tax return or both.

10 * * *

11 §492. Grounds for an objection to candidacy

12 A. An action objecting to the candidacy of a person who qualified as a
13 candidate in a primary election shall be based on one or more of the following
14 grounds:

15 * * *

16 (7) The defendant falsely certified on his notice of candidacy that for each of
17 the previous five tax years he has filed his federal and state income tax returns, has
18 filed for an extension of time for filing either his federal or state income tax return
19 or both as provided in R.S. 18:463(A)(2), or was not required to file either a federal
20 or state income tax return or both.

21 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____