

Regular Session, 2012  
HOUSE BILL NO. 894

# ACT No. 139

BY REPRESENTATIVE TIM BURNS

1 AN ACT

2 To amend and reenact R.S. 18:402(B)(2), (E)(1)(introductory paragraph) and (b) and (2)(b),  
3 and (F)(2), 1272(A), 1285(B)(1)(a), and 1300(C)(1), relative to elections; to provide  
4 for election dates; to provide for certain deadlines relative to special elections and  
5 bond, tax, and other elections at which a proposition or question is to be submitted  
6 to the voters; to provide for effectiveness; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:402(B)(2), (E)(1)(introductory paragraph) and (b) and (2)(b), and  
9 (F)(2) and 1272(A) are hereby amended and reenacted to read as follows:

10 §402. Dates of primary and general elections

11 \* \* \*

12 B. Congressional elections. Elections for members of congress and officers  
13 elected at the same time as members of congress shall be held every two years,  
14 beginning in 1982.

15 \* \* \*

16 (2) General elections for members of congress and officers elected at the  
17 same time as members of congress shall be held on the ~~first~~ fifth Saturday ~~in~~  
18 ~~December~~ after the first Tuesday after the first Monday in November of an election  
19 year.

20 \* \* \*

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



1 Section 2. R.S. 18:1285(B)(1)(a) and 1300(C)(1) are hereby amended and reenacted  
2 to read as follows:

3 §1285. Notice of election

4 \* \* \*

5 B.(1)(a) Written notice of the election and the certificate required by  
6 Subparagraph (b) of this Paragraph shall be transmitted to the secretary of state and  
7 each clerk of court and registrar of voters in the area affected by the election. If the  
8 election is to be held on a primary election date, then such notice and certificate shall  
9 be received by the secretary of state ~~on or before the seventy-first day~~ at least four  
10 weeks prior to the opening of the qualifying period for the primary election. If the  
11 election is not to be held on a primary election date, then the notice and certificate  
12 shall be received by the secretary of state on or before the forty-sixth day prior to the  
13 election. The secretary of state shall not accept any revisions to propositions,  
14 including but not limited to changes in title, text, or numerical designations, after the  
15 last day for submission of the notice and certificate to the secretary of state.

16 \* \* \*

17 §1300. Procedures; notice of election; expenses

18 \* \* \*

19 C.(1) When an election is called under the provisions of this Chapter, written  
20 notice of the election shall be transmitted to the secretary of state, the commissioner  
21 of elections, and each clerk of court and registrar of voters in the area affected by the  
22 election. If the election is to be held on a primary election date, then such notice  
23 shall be received by the secretary of state ~~on or before the seventy-first day~~ at least  
24 four weeks prior to the opening of the qualifying period for the primary election. If  
25 the election is not to be held on a primary election date, then such notice shall be  
26 received by the secretary of state on or before the forty-sixth day prior to the  
27 election.

28 \* \* \*

29 Section 3.(A) This Section and Section 1 of this Act shall become effective upon  
30 signature of this Act by the governor or, if not signed by the governor, upon expiration of

1 the time for bills to become law without signature by the governor, as provided by Article  
2 III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and  
3 subsequently approved by the legislature, this Section and Section 1 of this Act shall become  
4 effective on the day following such approval.

5 (B) Section 2 of this Act shall become effective on January 1, 2013.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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