

2016 Regular Session

SENATE BILL NO. 245

BY SENATOR MILKOVICH

ELECTION DAYS. Requires that local tax elections be held only on certain election days.
(8/1/16)

1 AN ACT

2 To amend and reenact introductory paragraph of R.S. 18:402(F), (F)(2), and (F)(3), relative
3 to the Louisiana Election Code; to provide that local tax elections can only be held
4 at the same time as statewide and congressional elections; to provide a limitation on
5 the number of emergency tax elections that can be held; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. The introductory paragraph of R.S. 18:402(F), (F)(2), and (F)(3) are
9 hereby amended and reenacted to read as follows:

10 §402. Dates of primary and general elections

11 * * *

12 F. Bond, tax, or other elections. Every ~~bond, tax, or~~ **bond or tax election**
13 **shall be held only on the same date as primary and general elections for**
14 **statewide or congressional office, excluding any date on which a special election**
15 **is held to fill a vacancy in a statewide or congressional office. Any** other election
16 at which a proposition or question is to be submitted to the voters shall be held only
17 on one of the following dates:

1 (1) The third to last Saturday in October or the fifth Saturday after the third
2 to last Saturday in October of 1983 and every fourth year thereafter.

3 (2)(a) The first Tuesday after the first Monday in November or the fifth
4 Saturday after the first Tuesday after the first Monday in November of
5 even-numbered years.

6 (b) ~~Notwithstanding the provisions of Subparagraph (a) of this Paragraph, the~~
7 ~~fifth Saturday after the first Tuesday after the first Monday in November shall not~~
8 ~~be applicable in a parish containing a municipality with a population of three~~
9 ~~hundred thousand or more for an election relative to a parcel fee imposed within a~~
10 ~~security or neighborhood improvement district. For purposes of this Subparagraph,~~
11 ~~"security or neighborhood improvement district" means a special district one of the~~
12 ~~primary purposes of which is aiding in crime prevention and adding to the security~~
13 ~~of district residents by providing for an increased presence of law enforcement~~
14 ~~personnel in the district or otherwise promoting and encouraging security in the~~
15 ~~district.~~

16 (3) ~~The last Saturday in March or the fifth Saturday after the last Saturday in~~
17 ~~March of any year or on the first Saturday in March or the fifth Saturday after the~~
18 ~~first Saturday in March during the presidential election year.~~

19 (4) The second Saturday in October or the fifth Saturday after the second
20 Saturday in October of 1985 and every fourth year thereafter.

21 (5)(4) Repealed by Acts 2008, No. 134, §1, eff. August 15, 2008.

22 (6)(5) For a parish containing a municipality with a population of three
23 hundred thousand or more, the second Saturday in October or the fifth Saturday after
24 the second Saturday in October in 2017 and every fourth year thereafter.

25 (7)(6) Repealed by Acts 2015, No. 307, §3, eff. June 29, 2015.

26 In case of an emergency, upon application to and approval by the State Bond
27 Commission by two-thirds vote of its total membership, and with approval of the
28 governor, the governing authority of a parish, of a municipality, or of a parish or city
29 school board may conduct a bond or tax election on a Saturday which is not provided

1 for in this Subsection.

2 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ashley Mitchell Carter.

DIGEST

SB 245 Original

2016 Regular Session

Milkovich

Present law provides that every bond, tax, or other election at which a proposition or question is to be submitted to the voters must be held on one of the following dates:

- (1) The third to last Saturday in October or the fifth Saturday after the third to last Saturday in October of 1983 and every fourth year thereafter.
- (2) The first Tuesday after the first Monday in November or the fifth Saturday after the first Tuesday after the first Monday in November of even-numbered years.
- (3) Present law provides that, the fifth Saturday after the first Tuesday after the first Monday in November shall not be applicable in a parish containing a municipality with a population of 300,000 or more for an election relative to a parcel fee imposed within a security or neighborhood improvement district. Present law provides that "security or neighborhood improvement district" means a special district one of the primary purposes of which is aiding in crime prevention and adding to the security of district residents by providing for an increased presence of law enforcement personnel in the district or otherwise promoting and encouraging security in the district.
- (4) The last Saturday in March or the fifth Saturday after the last Saturday in March of any year or on the first Saturday in March or the fifth Saturday after the first Saturday in March during the presidential election year.
- (5) The second Saturday in October or the fifth Saturday after the second Saturday in October of 1985 and every fourth year thereafter.
- (6) For a parish containing a municipality with a population of 300,000 or more, the second Saturday in October or the fifth Saturday after the second Saturday in October in 2017 and every fourth year thereafter.

Proposed law deletes the applicability of present law to bond and tax elections, and further provides that every bond or tax election must be held on the same date as a regularly scheduled primary and general election for statewide or congressional office.

Proposed law removes the last Saturday in March or the fifth Saturday after the last Saturday in March of any year or on the first Saturday in March or the fifth Saturday after the first Saturday in March during the presidential election year from the list of days that a local tax proposition or question can be submitted to voters.

Proposed law otherwise retains present law.

Effective August 1, 2016.

(Amends R.S. 18:402(F)(intro para) and (2) and (3))