

SENATE BILL NO. 50

BY SENATOR FANNIN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 33:1(B)(1)(a) and (b), to provide relative to petition for incorporation by unincorporated areas; to provide regarding the date of filing; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:1(B)(1)(a) and (b) are hereby amended and reenacted to read as follows:

§1. Petition for incorporation; contents; circulation; required signatures

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B.(1)(a) Prior to entering any signatures, the chairperson shall file a copy of the incorporation petition with the secretary of state who shall endorse thereon the fact and date of filing. ~~The copy of the incorporation petition shall be deemed filed as of the date of endorsement by the secretary of state.~~ **The petition shall be considered filed when it is received in the office of the secretary of state, or at the time it is postmarked by the United States Postal Service or is received on a return receipt request form, if it is subsequently received in the office of the secretary of state.** The secretary of state shall notify the chairperson of the ~~endorsement~~ **filing** date within ten business days, by **hand delivery or** certified mail, return receipt requested. No signatures for incorporation shall be collected until the chairperson receives notice of the ~~endorsement~~ **filing** date.

1 (b) The secretary of state shall immediately transmit, by mail or
 2 electronically, a copy of the filed petition to the registrar of voters for each parish in
 3 which the proposed incorporated area is situated. Within ten business days after the
 4 date of the ~~endorsement,~~ receipt of the incorporation petition, the registrar of
 5 voters for each parish in which the proposed incorporated area is situated shall
 6 transmit to the chairperson and the secretary of state, by mail or electronically, a
 7 notice of the number of electors residing within the area proposed for incorporation
 8 as of the date the notice is sent to the chairperson and the secretary of state.

* * *

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

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____