

2015 Regular Session

HOUSE BILL NO. 31

BY REPRESENTATIVE RICHARD

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

LEGISLATIVE SESSIONS: (Constitutional Amendment) Removes ability for the legislature to opt out of a veto session

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A JOINT RESOLUTION

Proposing to amend Article III, Section 18(C) of the Constitution of Louisiana, to remove the provision that allows a majority of the elected members of either house of the legislature to declare a veto session unnecessary; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article III, Section 18(C) of the Constitution of Louisiana, to read as follows:

§18. Gubernatorial Action on Bills; Sign, Failure to Sign, Veto; Veto Session

Section 18.

* * *

(C) Veto Session. A bill vetoed and returned and subsequently approved by two-thirds of the elected members of each house shall become law. The legislature shall meet in veto session in the state capital at noon on the fortieth day following final adjournment of the most recent session, to consider all bills vetoed by the governor. If the fortieth day falls on Sunday, the session shall convene at noon on the succeeding Monday. No veto session shall exceed five calendar days, and any veto session may be finally adjourned prior to the end of the fifth day upon a vote of two-thirds of the elected members of each house.

1 ~~(2) No veto session shall be held if a majority of the elected members of~~
2 ~~either house declare in writing that a veto session is unnecessary. The declaration~~
3 ~~must be received by the presiding officer of the respective houses at least five days~~
4 ~~prior to the day on which the veto session is to convene.~~

5 Section 2. Be it further resolved that this proposed amendment shall be submitted
6 to the electors of the state of Louisiana at the statewide election to be held on October 24,
7 2015.

8 Section 3. Be it further resolved that on the official ballot to be used at the election,
9 there shall be printed a proposition, upon which the electors of the state shall be permitted
10 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
11 follows:

12 Do you support an amendment to remove the ability of the legislature to opt
13 out of having a veto session to consider all bills vetoed by the governor?
14 (Amends Article III, Section 18(C))

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)]

HB 31 Original

2015 Regular Session

Richard

Abstract: Removes the provision that allows a majority of the elected members of either house of the legislature to declare a veto session unnecessary.

Present constitution provides that if the governor does not approve a bill, he may veto it. Provides that a bill becomes law if the governor signs it or if he fails to sign or veto it within 10 days after delivery to him if the legislature is in session on the 10th day after such delivery, or within 20 days after delivery if the 10th day after delivery occurs after the legislature is adjourned. Specifies that if the governor vetoes a bill, he shall return it to the legislature, with his veto message within 12 days after delivery to him if the legislature is in session. Provides that if the governor returns a vetoed bill after the legislature adjourns, he shall return it, with his veto message, as provided by law. (Present law provides that the governor must return a statement regarding each such vetoed bill, including the veto message, not later than midnight of the 23rd calendar day after adjournment.)

Present constitution provides that a bill vetoed and returned and subsequently approved by 2/3 of the elected members of each house shall become law. Requires the legislature to meet in veto session in the state capital at noon on the 40th day following final adjournment of the most recent session to consider all bills vetoed by the governor. Provides if 40th day falls on Sunday, the session shall convene at noon on the succeeding Monday. Limits a veto session to no more than five calendar days, and provides that any veto session may be finally

adjourned prior to the end of the fifth day upon a vote of 2/3 of the elected members of each house.

Present constitution provides however that no veto session shall be held if a majority of the elected members of either house declare in writing that a veto session is unnecessary. The declaration must be received by the presiding officer of the respective houses at least five days prior to the day on which the veto session is to convene. Proposed constitutional amendment removes this provision and otherwise retains present constitution.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Oct. 24, 2015.

(Amends Const. Art. III, §18(C))