

Regular Session, 2010

HOUSE BILL NO. 391

BY REPRESENTATIVE ROBIDEAUX AND SENATOR B. GAUTREAU

LEGISLATION/INSTRUMENTS: (Constitutional Amendment) Provides for prefilng and notice deadlines for bills affecting public retirement systems

A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A)(2) and Article XIII, Section 1(A) of the Constitution of Louisiana and to repeal Article X, Section 29(C), relative to Acts of the legislature relative to public retirement systems; to provide relative to the prefilng deadline for retirement legislation; to repeal the public notice requirement for retirement legislation; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article X, Section 29(C) of the Constitution of Louisiana.

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 2(A)(2) of the Constitution of Louisiana, to read as follows:

§2. Sessions

Section 2.(A) Annual Session.

\* \* \*

(2)(a) Any bill to effect any change in laws relating to any retirement system

for public employees to be introduced in either house shall be prefiled no later than

1 five o'clock in the evening of the forty-fifth calendar day prior to the first day of a  
2 regular session.

3 (b) Any bill other than a bill to effect any change in laws relating to any  
4 retirement system for public employees to be introduced in either house shall be  
5 prefiled no later than five o'clock in the evening of the tenth calendar day prior to the  
6 first day of a regular ~~session;~~ session.

7 (c) ~~thereafter~~ After five o'clock in the evening of the tenth calendar day prior  
8 to the first day of a regular session no member of the legislature may introduce more  
9 than five bills, except as provided in the joint rules of the legislature. The legislature  
10 is authorized to provide by joint rule for the procedures for passage of duplicate or  
11 companion instruments.

12 \* \* \*

13 Section 2. Be it further resolved by the Legislature of Louisiana, two-thirds of the  
14 members elected to each house concurring, that there shall be submitted to the electors of  
15 the state of Louisiana, for their approval or rejection in the manner provided by law, a  
16 proposal to amend Article XIII, Section 1(A) of the Constitution of Louisiana, to read as  
17 follows:

18 §1. Amendments

19 Section 1.(A)(1) Procedure. An amendment to this constitution may be  
20 proposed by joint resolution at any regular session of the legislature, but the  
21 resolution shall be prefiled, at least ten days before the beginning of the session or  
22 as provided in Subparagraph (2) of this Paragraph, in accordance with the rules of  
23 the house in which introduced. An amendment to this constitution may be proposed  
24 at any extraordinary session of the legislature if it is within the objects of the call of  
25 the session and is introduced in the first five calendar days thereof. If two-thirds of  
26 the elected members of each house concur in the resolution, pursuant to all of the  
27 procedures and formalities required for passage of a bill except submission to the  
28 governor, the secretary of state shall have the proposed amendment published once  
29 in the official journal of each parish within not less than thirty nor more than sixty

1 days preceding the election at which the proposed amendment is to be submitted to  
2 the electors. Each joint resolution shall specify the statewide election at which the  
3 proposed amendment shall be submitted. Special elections for submitting proposed  
4 amendments may be authorized by law.

5 (2) Any joint resolution proposed at a regular session of the legislature which  
6 effects any change in constitutional provisions relating to any retirement system for  
7 public employees shall be prefiled no later than five o'clock in the evening of the  
8 forty-fifth calendar day prior to the first day of session.

9 \* \* \*

10 Section 3. Be it further resolved by the Legislature of Louisiana, two-thirds of the  
11 members elected to each house concurring, that there shall be submitted to the electors of  
12 the state of Louisiana, for their approval or rejection in the manner provided by law, a  
13 proposal to repeal Article X, Section 29(C) of the Constitution of Louisiana.

14 Section 4. Be it further resolved that this proposed amendment shall be submitted  
15 to the electors of the state of Louisiana at the statewide election to be held on November 2,  
16 2010.

17 Section 5. Be it further resolved that on the official ballot to be used at said election  
18 there shall be printed a proposition, upon which the electors of the state shall be permitted  
19 to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall  
20 read as follows:

21 To require legislation effecting any change to laws concerning retirement  
22 systems for public employees to be filed no later than forty-five days before  
23 the start of a regular legislative session and to remove the public notice  
24 requirements regarding such bills. (Amends Article III, Section 2(A)(2) and  
25 Article XIII, Section 1(A); Repeals Article X, Section 29(C))

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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)]

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Robideaux

HB No. 391

**Abstract:** Provides earlier prefiling and public notice requirements for proposed retirement legislation.

Present constitution requires proposed legislation to be prefiled no later than five o'clock in the evening of the tenth calendar day prior to the first day of a regular session.

Proposed constitutional amendment retains present constitution for all proposed legislation except bills effecting a change in retirement systems for public employees. Proposed constitutional amendment requires retirement instruments to be prefiled no later than five o'clock in the evening of the forty-fifth calendar day prior to the first day of a regular session.

Present constitution provides that, with limited exception, after five o'clock on the tenth calendar day prior to session, no legislator may introduce more than five bills. Proposed constitutional amendment retains present constitution.

Present constitution requires public notice to be given of intent to introduce legislation effecting public retirement systems, the last date of publication of such notice to be at least 30 days prior to introduction of the bill. Proposed constitutional amendment repeals present constitution.

Present constitution requires any joint resolution to amend the constitution to be filed at least 10 calendar days prior to the beginning of a regular session. Proposed constitutional amendment requires all joint resolutions effecting retirement systems to be prefiled no later than the forty-fifth day prior to the first day of session.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 2, 2010.

(Amends Const. Art. III, §2(A)(2) and Art. XIII, §1(A); Repeals Const. Art. X, §29(C))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill.

1. Changes proposed prefiling deadline for retirement legislation and constitutional amendments in a regular session from 60 days prior to the first day of session to 45 days prior to the first day of session.
2. Changes proposed notice deadline for retirement legislation in a regular session from 90 days prior to introduction to 60 days prior to introduction.

House Floor Amendments to the engrossed bill.

1. Repeals Article X, Section 29(C) of the constitution, which requires publication of notice of intention to introduce retirement legislation.