

2024 Regular Session

SENATE BILL NO. 182

BY SENATOR SEABAUGH

ATTORNEY GENERAL. Constitutional amendment to authorize the attorney general to institute, prosecute, or intervene in any criminal action or proceeding concerning a felony election offense. (2/3 - CA13s1(A))

1 A JOINT RESOLUTION

2 Proposing to amend Article IV, Section 8 of the Constitution of Louisiana, relative to the  
3 prosecution of certain election offenses; to provide for the powers and duties of the  
4 attorney general; to grant the attorney general authority to institute, prosecute, or  
5 intervene in any criminal action or proceeding concerning certain election offenses;  
6 and to specify an election for submission of the proposition to electors and provide  
7 a ballot proposition.

8 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members  
9 elected to each house concurring, that there shall be submitted to the electors of the state, for  
10 their approval or rejection in the manner provided by law, a proposal to amend Article IV,  
11 Section 8 of the Constitution of Louisiana, to read as follows:

12 §8. Attorney General; Powers and Duties

13 Section 8. There shall be a Department of Justice, headed by the attorney  
14 general, who shall be the chief legal officer of the state. The attorney general shall  
15 be elected for a term of four years at the state general election. The assistant  
16 attorneys general shall be appointed by the attorney general to serve at his pleasure.

17 As necessary for the assertion or protection of any right or interest of the

1 state, the attorney general shall have authority (1) to institute, prosecute, or intervene  
 2 in any civil action or proceeding; (2) **to institute, prosecute, or intervene in any**  
 3 **criminal action or proceeding concerning a felony election offense of the**  
 4 **Louisiana Election Code;** (3) upon the written request of a district attorney, to  
 5 advise and assist in the prosecution of any criminal case; and ~~(3)~~ (4) for cause, when  
 6 authorized by the court which would have original jurisdiction and subject to judicial  
 7 review, (a) to institute, prosecute, or intervene in any criminal action or proceeding,  
 8 or (b) to supersede any attorney representing the state in any civil or criminal action.

9 The attorney general shall exercise other powers and perform other duties  
 10 authorized by this constitution or by law.

11 Section 2. Be it further resolved that this proposed amendment shall be submitted to  
 12 the electors of the state of Louisiana at the statewide election to be held on November 5,  
 13 2024.

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

18 Do you support an amendment to authorize the attorney general to institute,  
 19 prosecute, or intervene in any criminal action or proceeding concerning a  
 20 felony election offense?

21 (Amends Article IV, Section 8)

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Alden A. Clement Jr.

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DIGEST

SB 182 Original 2024 Regular Session Seabaugh

Present constitution grants the attorney general the authority to:

- (1) To institute, prosecute, or intervene in any civil action or proceeding.
- (2) Upon the written request of a district attorney, advise and assist in the prosecution of any criminal case.
- (3) For cause, when authorized by the court, institute, prosecute, or intervene in any criminal action or proceeding or supersede any attorney representing the state in any

criminal action.

Proposed constitution grants the attorney general additional authority to institute, prosecute, or intervene in any criminal action or proceeding concerning a felony election offense of the La. Election Code.

Specifies submission of the amendment to the voters at the statewide election to be held on November 5, 2024.

(Amends Const. Art. IV, Section 8)