

2018 Regular Session

SENATE BILL NO. 457

BY SENATOR WALSWORTH

ELECTIONS DEPARTMENT. Provides for recall election petitions. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 18:1300.2(C)(1) and 1300.5(A), relative to elections; to provide
3 for information relative to recall petitions; to require further identification of the
4 chairman and vice chairman of the recall; to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 18:1300.2(C)(1) and 1300.5(A) are hereby amended and reenacted
7 to read as follows:

8 §1300.2. Petition for recall election; campaign finance disclosure

9 * * *

10 C.(1) Prior to the entering of any signatures on a petition, the chairman
11 designated to represent the petitioners shall file with the secretary of state a copy of
12 the recall petition which will be used **and a copy of a picture identification that**
13 **contains the name and signature of the chairman and vice chairman or a copy**
14 **of a current utility bill, bank statement, government check, paycheck, or other**
15 **government document that shows the name and address of the chairman and**
16 **vice chairman.** and upon **Upon** receipt of the recall petition, the secretary of state
17 shall endorse thereon the fact and the date of filing. A copy shall be transmitted by

1 the secretary of state to the registrar of voters for each parish in which the recall
 2 election is to be held. The chairman shall list on the petition every parish ~~which~~ that
 3 is wholly or partially within the voting area ~~in which~~ where the recall election is to
 4 be held. The petition shall be ~~deemed~~ considered filed when it is received in the
 5 office of the secretary of state, or at the time it is postmarked by the United States
 6 Postal Service or is receipted on a return receipt request form, if it is subsequently
 7 received in the office of the secretary of state.

8 * * *

9 §1300.5. Chairman and vice chairman designated in petition; petition designated as
 10 a public record

11 A. The recall petition shall designate a chairman to act for the signers of the
 12 petition in all matters, and a vice chairman to act on order of the chairman or in case
 13 of the death, disability, absence, or resignation of the chairman. The petition shall
 14 include the full name, signature, and residence address of the chairman and the vice
 15 chairman. The chairman and vice chairman each shall be a qualified voter in the
 16 voting area from which the public official whose recall is being sought is elected.

17 * * *

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

The original instrument was prepared by Tim Prather. The following digest,
 which does not constitute a part of the legislative instrument, was prepared
 by Linda Nugent.

SB 457 Reengrossed

DIGEST
 2018 Regular Session

Walsworth

Present law provides that prior to the entering of any signatures on a petition, the chairman of the recall petition will file with the secretary of state a copy of the recall petition which will be endorsed by the secretary of state. Present law requires that a copy of the petition will be transmitted by the secretary of state to the registrar of voters for each parish where the recall election is to be held.

Present law requires the chairman of the recall to list on the petition every parish that is in the voting area where the recall election is to be held. Present law provides the petition will be considered filed when it is received in the office of the secretary of state, or at the time it is postmarked by the U.S. Postal Service or is receipted on a return receipt request form, if it is subsequently received in the office of the secretary of state.

Proposed law retains present law and further requires that upon filing the recall petition, the chairman and vice chairman must provide a copy of a pictured identification that contains their names and signatures, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows their names and addresses.

Present law provides that the recall petition will designate a chairman to act for the signers of the petition in all matters, and a vice chairman to act on order of the chairman or in case of the death, disability, absence, or resignation of the chairman. The recall petition will include the full name and residence address of the chairman and the vice chairman.

Proposed law retains present law and further requires the recall petition to include the signatures of the chairman and the vice chairman.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 18:1300.2(C)(1) and 1300.5(A))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Makes Legislative Bureau technical amendments.