

2014 Regular Session - Fact Sheet

9/30/13

(1)(a) Subject matter - General in nature	Prohibited Items - No measure levying or authorizing a new <i>state</i> tax by the state or by any statewide political subdivision whose boundaries are coterminous with the state; increasing an existing <i>state</i> tax by the state or by any statewide political subdivision whose boundaries are coterminous with the state; or legislating with regard to <i>state</i> tax exemptions, exclusions, deductions or credits shall be introduced or enacted during a regular session held in an even-numbered year.
(2) January 8, 2014 - Wednesday Retirement ad in state journal	Last date for second publication of notice to prefile & introduce retirement constitutional amendments and bills on first day of session. See Const. Art. XIII, §1(A)(2) and Note 3(d)
(3) January 24, 2014; Friday, 5:00 PM Prefile retirement legislation	Const. Art. III, §2(A)(2)(c) requires prefiling of all retirement constitutional amendments and bills by 5:00 of the 45th day prior to start of a regular session - see Note 3(d)(ii) attached.
(4) February 7, 2014, Friday	<u>Last date for second publication of notice for bills requiring local advertisement if you wish to prefile and introduce on the first day of the regular session.</u>
(5) March 1, 2014, Saturday	<u>Last date for second publication of notice for bills requiring local advertisement if you wish to introduce the bill on the last day for introduction of bills.</u>
(6) February 25, 2014, Tuesday	Deadline to SUBMIT REQUESTS to Senate staff to draft CONSTITUTIONAL AMENDMENTS for prefiling. - Senate Rule 9.1(C)
(7) February 26, 2014; Wednesday, 5:00 PM	Deadline to SUBMIT REQUESTS to Senate staff to draft BILLS for prefiling. - Senate Rule 9.1(C)
(8) February 27, 2014, Thursday	Deadline to prefile Constitutional Amendments in Senate. House computes in hours and accepts prefiling until noon, Friday, February 28, 2014.
(9) February 28, 2014; Friday, 5:00 P.M.	Deadline to prefile Bills. After the 5:00 P.M. deadline, each member is limited to the introduction of five bills.
(10) March 10, 2014, Noon	Session Begins. 60 legislative days within 85 calendar-days
(11) April 1, 2014; Tuesday., 6:00 P.M.	Last day for introduction of bills after session begins. Limit 5 bills per legislator after prefile deadline.
(12) May 30, 2014; Friday - Constitutional Limitation on Third Reading and Final Passage. No matter intended to have the effect of law, except a measure proposing a suspension of law, shall be considered on THIRD READING AND FINAL PASSAGE in either house after 6:00 P.M. of the 45 nd legislative day or 82 nd calendar day, whichever occurs first, except by a favorable record vote of two-thirds of the elected members of each house. (Const Art. III, Sec. 2(A)(4)(a))	
(13) June 2, 2014, Monday; 6:00 PM	Adjournment Sine Die - no later than 6:00 P.M.
(14) August 1, 2014, Friday	<i>Effective Date of Acts</i> (statutes, codes, & general acts) unless bill specifically provides otherwise. <i>Constitutional amendments</i> - effective 20 days after governor's proclamation of favorable election results, unless otherwise specified in the amendment.

**2014 Regular Session
Requirements for Legislative Instruments**

1. Session Subject Matter Prohibition. (Const. Art. III, Sec. 2(A)(3)(b))

No measure levying or authorizing a new *state* tax by the state or by any statewide political subdivision whose boundaries are coterminous with the state; increasing an existing *state* tax by the state or by any statewide political subdivision whose boundaries are coterminous with the state; or legislating with regard to *state* tax exemptions, exclusions, deductions or credits shall be introduced or enacted during a regular session held in an even-numbered year.

2. Constitutional Amendments - Prefiling Required. (Const. Art. XIII, Sec. 1(A))

(a)(i) Prefiling of *retirement constitutional amendments* in Senate required prior to 5:00 P.M. of 45th calendar day prior to start of session - 45th calendar day is Friday, January 24, 2014.

(ii) Prefiling of *non-retirement constitutional amendments* in Senate required at least 10 days prior to start of session - 10th calendar day is Thursday, February 27, 2014.

(b) House of Representatives computes this ten-day period in 24-hour increments and accepts constitutional amendment prefiling until Noon on Friday, February 28, 2014.

(c) Submission to Staff: Senate Rule 9.1(C) requires receipt of requests for constitutional amendments by Senate Legislative Services staff no later than 48 hours prior to the prefiling deadline.

3. Bills, other than Constitutional Amendments. (Const. Art. III, Sec. 2(A)(2))

(a) **PREFILE DEADLINE:** Friday, February 28, 2014; 5:00 P.M. Bills (which are not constitutional amendments) are required to be prefiled no later than 5:00 P.M. on 10th calendar day prior to first day of the regular session.

(b) Submission to Staff: Senate Rule 9.1(C) requires that legislative requests be received by Senate Legislative Services no later than 48 hours prior to the Feb. 28th prefiling deadline.

(c) Deadline to introduce *bills* that were *not prefiled* is 6:00 P.M., Tuesday, April 1, 2014. No member may introduce more than 5 bills after prefile deadline, except as provided in Joint Rule No. 18. (Const. Art. III, Sec. 2(A)(2))

(d) PUBLICATION DEADLINES FOR BILLS REQUIRING NOTICE:

General Rule (Const. Art. III, §13(A)) - Notice to be published on **2** separate days in official journal of locality without cost to the state with the last publication date being at least 30 days prior to introduction of the bill. If a Senate instrument is prefiled, the date of introduction is the first day of the session. Notice must state the substance of the bill and the bill itself must recite that notice was published.

Special District: (Const. Art. III, §13(B)) - When creating a special district, the primary purpose of which includes aiding in crime prevention and adding to security of district residents through increased presence of law enforcement personnel or otherwise promoting and encouraging security in the district, then local notice is required to be published on **3** separate days in official journal of locality in which special district is located - last publication date to be 30 days prior to bill introduction.

Senate Bills, with local notice, will be accepted for prefiling on or before Friday, February 28th if the Senate secretary receives proof that local notice has been published and that 30 days

after the last publication date will expire prior to the **first** day for introduction of bills (March 10th). See Item (ii) as to prefiling Senate retirement bills per Senate Rule 9.1(A).

House Bills, with local notice, will be accepted for prefiling on or before Friday, February 28th if the House clerk receives proof that local notice has been published and that 30 days after the last publication date will expire prior to the **last** day for introduction of bills (April 1st).

If requested, staff will prepare and send the notice to the local newspaper, instruct the newspaper to bill the publication costs per Senator's instructions, and have the newspaper send its certification of publication to Senate Documents & Records to be attached to the bill prior to introduction.

If Senator is handling the notice, then he or she is responsible for obtaining and transmitting the certification of publication to Senate Documents & Records for attachment to the bill prior to introduction.

IMPORTANT NOTE: *Publication dates listed are based on official journals that are published on a "daily" basis. If your locality has an official journal that is published "weekly" then the deadlines for publication should be adjusted accordingly. Some newspapers require submission of an item to the newspaper a number of days in advance of the actual publication date - you should be aware of these time lines.*

(i) **Local Bills** - Const. Art. III, Sec. 13.

(ii) **Retirement Bills** - Const. Art. X, Sec 29(C). Retirement notice to be published in Baton Rouge's *The Advocate* (the official state journal) on 2 separate days without cost to the state with the last publication date being at least 60 days prior to introduction of the bill. Due to publication dates of *The Advocate*, notice must be submitted three working days before the first publication date. January 8, 2014 is last date to publish notice to comply with this 60-day period.

Dual Publication - if affects **only** a city or strictly local system, then publication required in both local and state official journals.

Retirement bills shall be prefiled for introduction in either house by 5:00 of the 45th calendar day prior to the start of the session (Const. Art. III, Sec. 2(A)(2)(c)) - 45th calendar day is Friday, January 24, 2014. This requirement is in addition to constitutional requirement for publication of notice to introduce in official state journal sixty days before introduction.

Each Senate retirement bill to be prefiled for introduction on the first day of the session is to be accompanied with evidence that the appropriate notices have been published or that the second date of notice publication will occur 60 days prior to the first day of the session.

(iii) **Assessor's Expense Allowance Notice** - R.S. 47:1908(D). No change in an assessor's expense allowance unless the assessor sends notice of intent to the school board and parish governing authority that are affected stating the amount of the change.

Notice to be sent by certified mail at least 10 days prior to convening of the legislative session - last day to give this notice is Thursday, February 27, 2014. Evidence of notice to be exhibited to the legislature before passage of the bill and the bill must recite that notice was given.

(iv) **Assessor Compensation** (R.S. 47:1907.1), **Sheriff Compensation** (R.S. 13:5521(E)), **School Board Member Compensation** (R.S. 17:56(D)), **Parish Portion of Registrar of Voters, Deputy Registrar, or Confidential Assistant Compensation** (R.S. 18:55(B)/59(D)):

No bill to change compensation of assessor, sheriff, school board member, or local portion of salary of registrar of voters, or chief deputy registrar, confidential assistant to registrar, unless notice published on 2 separate days in official journal of locality without cost to the state with the last publication date being at least 30 days prior to introduction of the bill.

If all assessors, sheriffs, or school board members in the state are affected, then notice shall *also* be published in the official journal of the state on 2 separate days without cost to the state - *The Advocate* in Baton Rouge is official state journal. Each notice is to state the amount of the change and certification of publication is to be attached to the bill.

Notice as to assessors, sheriffs, and school board members must state the amount of the change and bill is to recite that the notice has been given with certification of publication attached to bill when introduced.

4. Pre-Session Filing of Bills & Resolutions.

All legislative instruments are to be prepared by legislative staff. (Senate Rule 7.6; also Senate Rules 9.1 - 9.9) Staff will draft, or receive, and transmit legislative instruments to Senate Secretary for pre-filing, upon WRITTEN direction of author.

Senate Rule 9.1(C) requires that requests for legislation to be prefiled be received by Senate Legislative Services staff not later than 48 hours prior to the pre-filing deadline.

5. Fiscal Notes.

Every bill, joint resolution, and simple or concurrent resolution ***affecting the receipt, expenditure, or allocation of funds*** of the state or of a political subdivision, or which would ***authorize issuance*** of general obligation bonds or other general obligations of the state for capital outlay, must have attached to it, prior to committee consideration, a fiscal note giving a reliable estimate of the fiscal effect of the measure. Author of bill is responsible for obtaining fiscal note from legislative fiscal officer, either directly or through the staff. (Joint Rule No. 4)

Every bill, joint resolution, and simple or concurrent resolution, and every amendment thereto, ***which appropriates monies for capital outlay*** purposed must have attached to it, prior to consideration, a fiscal note with the worksheet of each fiscal note to include a feasibility study and needs assessment (Senate Rule No. 7.14). If directed by the Senator, Senate Documents & Records will order a fiscal note.

6. Actuarial Notes.

Every bill, joint resolution, and simple or concurrent resolution proposing a ***change in the law as to any state, municipal, or parochial retirement system funded in whole or part from public funds*** must have an actuarial note attached to it prior to committee consideration. Legislative auditor prepares actuarial notes (R.S. 24:521). If directed by the Senator, Senate Documents & Records will order an actuarial note.

7. Appropriations to Pay Judgments Against State.

The House Appropriations Committee requires a certified copy of final judgment and proof of finality of judgement before committee action on any such bill. Pursuant to HR 15 of 1987 RS, the House Committee on Appropriations requires that the Clerk of the House be furnished with the attorney's name or names in the suit, the fees involved, and other pertinent information prior to consideration of the bill for final passage.

8. Miscellaneous Requirements Regarding Statutory Enactments.

(a) New Judgeships.

R.S. 13:61 - Judicial Council of the Supreme Court of Louisiana determines necessity of creating any new judgeship and provides information to appropriate legislative standing committee as to the necessity of creating a new judgeship. *Requests for new judgeships should be submitted to the Judicial Council by **October 1st**.*

(b) New court cost or fee or increase in existing court cost or fee.

R.S. 13:62 - No enactment of a law providing for a new court cost or fee or to increase an existing court cost or fee unless first submitted to the Judicial Council of the Supreme Court for review and recommendation to the legislature. *Requests involving court costs should be submitted to the Judicial Council by **January 15th**.*

(c) New Assistant District Attorneys.

R.S. 16:54 - creates the Governor's Advisory and Review Commission on Assistant District Attorneys within the office of the governor. Determines necessity for additional assistant district attorneys in each judicial district and prohibits payment of state portion of compensation for such position unless approved by the commission.

(d) Mandated Health Insurance Benefits.

R.S. 24:603.1 - Prior to consideration by legislative committee, an impact report is to be attached to any instrument imposing a health insurance mandate. Impact report to include reliable estimate of the negative or positive fiscal effect of such measure, including costs and savings.