

2021 Regular Session

HOUSE BILL NO. 167

BY REPRESENTATIVES MIKE JOHNSON, AMEDEE, CARRIER, CREWS,  
EDMONDS, FARNUM, FIRMENT, MIGUEZ, ORGERON, RISER, SEABAUGH,  
AND THOMPSON

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

VOTING/REGISTRATION: Provides for removal of deceased persons from voter  
registration rolls

1 AN ACT

2 To amend and reenact R.S. 18:173, relative to voter registration rolls; to provide relative to  
3 removal of deceased persons from such rolls; to provide relative to Department of  
4 State and registrar of voter responsibilities; to provide for an effective date; and to  
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:173 is hereby amended and reenacted to read as follows:

8 §173. Deaths

9 ~~B. A.~~ Upon Within thirty days after receipt of a certified copy of a death  
10 certificate, the registrar of voters shall remove from the voter registration rolls the  
11 name of the deceased.

12 ~~C. B.~~ By the tenth day of each month the parish health officer shall send  
13 notice to the registrar of voters of the death of each person in the parish during the  
14 preceding month and shall include the deceased person's parish of residence.

15 ~~D.(1) C.(1)~~ By the tenth day of each month, the secretary of the Louisiana  
16 Department of Health shall send to the Department of State a report, certified as  
17 correct over his signature or the signature of his authorized representative, containing  
18 the name, address, date of birth, sex, ~~and~~ social security number, place of birth,  
19 mother's maiden name, and alias name, as such information exists in the database of

1 the Louisiana Department of Health, of any person sixteen years of age or older who  
2 died in each parish of the state within the preceding calendar month.

3 (2) ~~The~~ Within thirty days after receipt of the report described in Paragraph  
4 (1) of this Subsection, the Department of State shall cancel the registration of any  
5 deceased person when the information provided by the Louisiana Department of  
6 Health corresponds exactly to the criteria for cancellation of voter registration as  
7 established ~~in R.S. 18:108~~ by the secretary of state. The Department of State shall  
8 promptly notify the registrar of the parish in which the voter was registered of such  
9 cancellation.

10 (3) The information received from the Louisiana Department of Health  
11 regarding deceased persons whose registrations were not canceled pursuant to  
12 Paragraph (2) of this Subsection shall be sent monthly to the registrar of voters for  
13 each parish by the Department of State. Within thirty days after receipt of the report  
14 from the Department of State, the registrar of voters shall review the information  
15 received from the Louisiana Department of Health to determine if the matches of  
16 information are sufficient to cancel or challenge the registration of deceased persons.

17 E. D. The registrar of voters shall search obituaries for deceased persons  
18 whose registrations were not canceled. The registrar of voters ~~may~~ shall use  
19 information from an obituary notice to cancel a deceased voter's registration if the  
20 notice provides sufficient information to properly identify the voter and the registrar  
21 has confirmed the voter's death with the office of vital records.

22 Section 2. This Act shall become effective on June 1, 2022.

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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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HB 167 Reengrossed

2021 Regular Session

Mike Johnson

**Abstract:** Provides criteria for removing deceased persons from voter registration rolls.

Present law requires a registrar of voters to remove from the voter registration rolls the name of a deceased person upon receipt of a certified copy of a death certificate. Proposed law requires such cancellations within 30 days after receipt of the death certificate.

Present law requires the La. Dept. of Health (LDH) to send a report each month to the Dept. of State regarding persons in each parish in the state who died in the preceding month. Further requires the Dept. of State to cancel the registration of any deceased person when the information provided by LDH corresponds to criteria established by present law.

Proposed law requires such cancellations within 30 days after receipt of the report. Present law requires the Dept. of State to send LDH report information to the registrars. Proposed law requires the registrars to, within 30 days of receipt, cancel or challenge registrations of deceased persons.

Present law authorizes a registrar of voters to cancel registrations based on obituaries. Proposed law requires the registrar to do so and requires the registrar to search obituaries.

Effective June 1, 2022.

(Amends R.S. 18:173)

#### Summary of Amendments Adopted by House

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

1. Delete proposed law imposing a three day deadline on the cancellation of registration of deceased persons.
2. Delete proposed law providing the criteria for the removal of deceased persons from voter rolls.
3. Add provision for the secretary of state to establish criteria for the removal of deceased persons from voter rolls.
4. Add provision requiring the registrar of voters to review the information received from LDH to determine if information is sufficient to cancel or challenge the registration of deceased persons.
5. Change the effective date of proposed law.

#### The House Floor Amendments to the engrossed bill:

1. Add "within 30 days" requirement to cancellation, challenge, and review requirements of present law and proposed law.