

2017 Regular Session

HOUSE BILL NO. 544

BY REPRESENTATIVE DANAHAAY

1 AN ACT

2 To amend and reenact R.S. 18:3(A)(3), 18(A)(introductory paragraph) and (8)(b), 25(B),
3 59.4(E)(2)(c), 104, 107(B), 114(F)(2), 196(C)(1) and (2), 402(G)(2), 424(C)(1),
4 425(C)(1), 425.1(A), 427(B), 431(A)(4) and (B)(2), 434(A)(1), 469(D)(2),
5 564(B)(5)(b), 566.2(C) and (F)(3) through (9), 571(A)(5), 572(A)(1)(introductory
6 paragraph) and (a)(i), 574(F), 1286.1(A), 1300.7(A), 1307(C) and (G), 1310(D)(2),
7 1313(F)(9) and (G)(11), 1363(B), (D), (G), and (H), 1373(A)(1), and 1402(C), to
8 enact R.S. 18:107(F), 425(B)(3)(c), 566.2(F)(10), and 1354(B)(8), and to repeal R.S.
9 18:176(D), 200, 431(A)(5), and 1313(F)(11), relative to the Louisiana Election Code;
10 to revise the system of laws comprising the Louisiana Election Code; to provide
11 relative to petitions submitted to registrars of voters for certification; to provide
12 relative to the annual voter registration week; to provide for reporting by the State
13 Board of Election Supervisors; to provide relative to compensation, education, and
14 training of registrars of voters, chief deputy registrars, and confidential assistants; to
15 provide relative to political party affiliation; to provide for transfer and cancellation
16 of registration; to provide relative to the inactive list of voters; to provide for voting
17 by a person on the list; to provide for advanced election dates; to provide for the date
18 of elections when the votes cast in a primary are void because of the death of a
19 candidate; to provide for the duties of commissioners; to provide for qualifications
20 of commissioners; to prohibit certain persons from serving as commissioners in
21 certain elections; to provide for the powers and duties of watchers; to provide for
22 courses of instruction for commissioners; to provide for the duties of clerks of court
23 relative to such instruction; to provide for the selection of commissioners and

1 alternate commissioners; to provide relative to assistance of voters at polling places;
2 to provide relative to the duties of commissioners relative to such assistance; to
3 provide relative to procedures and requirements for counting provisional ballots; to
4 provide for the determination of whether a provisional ballot is to be counted; to
5 provide for when provisional ballots are counted; to provide relative to the duties of
6 the parish board of election supervisors relative to provisional ballots; to provide for
7 procedures for and duties of commissioners after the termination of voting; to
8 provide for the printing of results from voting machines; to provide for the
9 compilation and promulgation of election returns; to provide for when promulgation
10 occurs; to provide relative to recall elections; to provide for the issuance of a
11 proclamation by the governor to order a recall election to be held; to provide for the
12 deadline for issuing a proclamation; to provide for voting absentee by mail; to
13 provide relative to application to vote absentee by mail; to provide for the ongoing
14 validity of applications by certain applicants; to provide relative to the counting of
15 absentee by mail ballots; to provide for the counting of damaged ballots; to provide
16 for the duties of the parish custodian of voting machines; to provide for the duties of
17 qualifying officials; to provide for information given to candidates at the time of
18 qualifying; to provide for the content of the application for voter registration; to
19 provide procedures and requirements for voter registration at driver's license
20 facilities; to provide relative to spoiled and replacement ballots; to provide for the
21 counting of such ballots; to provide relative to consolidation of polling places; to
22 provide for the determination of the number of voting machines allocated to polling
23 places and used in elections; to provide for the proper parties in an action objecting
24 to candidacy and an action contesting an election; and to provide for related matters.

25 Be it enacted by the Legislature of Louisiana:

26 Section 1. R.S. 18:3(A)(3), 18(A)(introductory paragraph) and (8)(b), 25(B),
27 59.4(E)(2)(c), 107(B), 196(C)(1) and (2), 402(G)(2), 424(C)(1), 425(C)(1), 425.1(A),
28 427(B), 431(A)(4) and (B)(2), 434(A)(1), 469(D)(2), 564(B)(5)(b), 566.2(C) and (F)(3)
29 through (9), 571(A)(5), 572(A)(1)(introductory paragraph) and (a)(i), 574(F), 1286.1(A),
30 1300.7(A), 1307(C) and (G), 1313(F)(9) and (G)(11), 1363(B), (D), (G), and (H),

1 1373(A)(1), and 1402(C) are hereby amended and reenacted and R.S. 18:107(F),
2 425(B)(3)(c), 566.2(F)(10), and 1354(B)(8) are hereby enacted to read as follows:

3 §3. Petitions submitted to registrars of voters

4 A. Notwithstanding any other provision of law to the contrary, every petition
5 submitted to a registrar of voters for certification shall contain the following
6 information:

7 * * *

8 (3) The signer's ~~ward/district/precinct~~ ward, precinct, and date of birth.

9 * * *

10 §18. Secretary of state; powers and duties

11 A. The secretary of state shall administer the laws relating to custody of
12 voting machines and voter registration, and for ~~the~~ this purpose he shall:

13 * * *

14 (8)

15 * * *

16 (b) Develop activities, events, informational posters and pamphlets, and
17 public service announcements for the implementation of an annual voter registration
18 week and generally be responsible for implementation of such week. It is the policy
19 of the state of Louisiana to encourage full participation in voting by all citizens of
20 this state. To this end, in ~~odd-numbered~~ years when the president of the United
21 States proclaims a National Voter Registration Day, the official state voter
22 registration week shall be the ~~last full week in which~~ National Voter Registration
23 Day occurs. In years when the president of the United States does not proclaim a
24 National Voter Registration Day, the official state voter registration week shall be
25 two weeks prior to the close of registration records for the regular fall primary
26 election. ~~In even-numbered years, the official state voter registration week shall be~~
27 ~~the second full week in May.~~

28 * * *

29 §25. Annual reports

30 * * *

1 §107. Party affiliation not required for registration; change in party affiliation

2 * * *

3 B. ~~An elector~~ A registrant may change his party affiliation by making
 4 application therefor in writing to the registrar. When he receives the request, the
 5 registrar shall note the political party designated by the registrant and the date of the
 6 change in the registrant's information on the state voter registration computer system
 7 and, if the original application is available in hard copy in the registrar's office, on
 8 the original application form.

9 * * *

10 F. Notwithstanding the provisions of Subsections B and C of this Section,
 11 a registrant shall not be designated as being affiliated with more than one party at the
 12 same time.

13 * * *

14 §196. Inactive list of voters; procedure for voting

15 * * *

16 C.(1)(a) If a registrant whose name ~~appears~~ is on the inactive list of voters
 17 ~~has appeared~~ appears at the polls and ~~voted~~ votes as provided under Paragraph ~~B(1)~~
 18 (B)(1), (2), or (3) of this Section, the registrar shall transfer the registrant's name to
 19 the official list of voters and make any necessary corrections in the registrant's
 20 registration records.

21 (b) If the registrant ~~appeared~~ appears at the polls and ~~confirmed~~ confirms
 22 that he has permanently moved outside of the to a different parish, the registrar shall
 23 ~~cancel~~ transfer the registrant's registration ~~of such registrant~~ information to the
 24 registrar of the new parish of residence.

25 (c) If the registrant appears at the polls and confirms that he has permanently
 26 moved outside the state, the registrar shall cancel the registrant's registration.

27 (2)(a) If a registrant whose name ~~appears~~ is on the inactive list of voters ~~has~~
 28 ~~voted~~ votes absentee by mail or during early voting, the registrar shall transfer the
 29 registrant's name to the official list of voters and make any necessary corrections in
 30 the registrant's registration records if the information on the address confirmation

1 card, as required by R.S. 18:1309, or the residence address provided in an application
2 to vote by mail so indicates.

3 (b) However, if ~~If~~ the registrant ~~has confirmed~~ confirms that he has
4 permanently moved outside of the ~~to a different~~ parish, the registrar shall ~~cancel~~
5 transfer the registrant's registration of such registrant information to the registrar of
6 the new parish of residence.

7 (c) If the registrant confirms that he has permanently moved outside the
8 state, the registrar shall cancel the registrant's registration.

9 * * *

10 §402. Dates of primary and general elections

11 * * *

12 G.

13 * * *

14 (2)(a) If the date for the primary election is advanced in accordance with the
15 provisions of Paragraph (1) of this Subsection, the general election shall be advanced
16 the same number of weeks as the primary election.

17 (b) If the date for the general election is advanced in accordance with the
18 provisions of Paragraph (1) of this Subsection, the primary election shall be
19 advanced the same number of weeks as the general election.

20 * * *

21 §424. Commissioners-in-charge

22 * * *

23 C. Powers and duties. (1) The commissioner-in-charge shall receive the
24 sealed key envelope from the deputy parish custodian of voting machines at least
25 thirty minutes before the polls open on election day. The commissioner-in-charge
26 shall administer the oath to the commissioners and preside over the election, ~~and the~~
27 counting and tabulation of votes ~~the printing of the results from the voting machines,~~
28 and the closing of the polling place. He also shall deliver the keys to the voting
29 machines, if applicable, the original of the machine certificates, the original of the
30 signed list of commissioners, results cartridges, and one of the ~~original tabulation~~

1 ~~blank and compiled statement forms~~ official election results reports to the clerk of
2 court.

3 * * *

4 §425. Commissioners

5 * * *

6 B. Qualifications and classifications.

7 * * *

8 (3)

9 * * *

10 (c) If a proposition or question is on the ballot in a precinct, no member of
11 the governing authority that called the election on the proposition or question and no
12 member of the governing authority of a political subdivision that will receive
13 revenue from a tax or fee that is the subject of the proposition or question shall be
14 selected as a commissioner in that precinct.

15 * * *

16 C. Powers and duties. (1) The commissioners shall conduct primary and
17 general elections at each polling place, shall enforce the election laws, and shall
18 maintain order at the polling place during the election and the ~~counting and~~
19 ~~tabulation of votes~~ printing of results from the voting machines.

20 * * *

21 §425.1. Consolidation of polling places; reduction of voting machines and election
22 officials

23 A. Notwithstanding the provisions of R.S. 18:424 and 425 or any other
24 provision of law to the contrary, in an election, including the election of any public
25 official, where more than one polling place is within the same location, the parish
26 board of election supervisors may consolidate polling places in that location for that
27 election and may reduce the number of voting machines to be used in the election
28 below the number fixed by R.S. 18:1363 and, in such case, shall notify, in
29 accordance with the time line provided in R.S. 18:1363(H), the parish custodian of

1 voting machines and the secretary of state of the number of machines to be prepared
2 and delivered for the polling places so consolidated.

3 * * *

4 §427. Watchers

5 * * *

6 B. Powers and duties. A watcher shall be admitted within all parts of the
7 polling place during the election day and the ~~counting and tabulation of votes,~~
8 printing of results from the voting machines, and shall call any infraction of the law
9 to the attention of the commissioners. A watcher may keep notes on the conduct of
10 the election, but he shall not take part in the ~~counting and tabulation of votes~~ printing
11 of results from the voting machines. A watcher shall not electioneer, engage in
12 political discussions, or unnecessarily delay a voter at the polling place. A watcher
13 shall be subject to the authority of the commissioners and shall not interfere with the
14 commissioners in the performance of their duties.

15 * * *

16 §431. Commissioners; courses of instruction; certificates; reports; list of certified
17 persons furnished by parish board of election supervisors

18 A.

19 * * *

20 (4) From the reports received from the clerk, the parish board of election
21 supervisors shall prepare a list containing the names, addresses, and party affiliations
22 of all persons registered to vote in each ward to whom certificates of instruction have
23 been issued during the term of office of the clerk of court who issued the certificate.
24 ~~The clerks of court shall schedule a general course of instruction for commissioners~~
25 ~~on some date following the last date for qualifying for office, but at least five days~~
26 ~~prior to the date for selection of commissioners.~~

27 B.

28 * * *

29 (2) The clerk of court shall issue a certificate of instruction to each person
30 who attends and satisfactorily completes the course of instruction provided for in this

1 Subsection or maintain a list of such persons in the state voter registration computer
2 system.

3 * * *

4 §434. Commissioners and alternate commissioners; selection; commission;
5 disqualification; replacement

6 A. Time and place of selection. (1) The parish board of election supervisors
7 shall meet at 10:00 a.m. on the twenty-ninth day before a primary election to select
8 the commissioners and alternate commissioners for each precinct. However, if the
9 deadline for the close of the registration records provided in R.S. 18:135(A)(1) is
10 moved due to a legal holiday, the meeting to select commissioners and alternate
11 commissioners for each precinct shall be moved to the day after the close of the
12 registration records. The meeting shall be open to the public. The board shall have
13 previously posted a notice on the front courthouse door designating the location
14 within the courthouse where the meeting is to be held.

15 * * *

16 §469. Reopening of qualifying period; effect

17 * * *

18 D.

19 * * *

20 (2) If all the votes cast in a primary election for a public office are void
21 because of the death of a candidate, the primary election for the office shall be held
22 on the date of the general election, and the general election for the office shall be
23 held on the ~~fourth~~ fifth Saturday after the primary election. ~~However, if the primary~~
24 ~~election is held on the date scheduled for a congressional general election, the~~
25 ~~general election for the office shall be held on the fifth Saturday after the primary~~
26 ~~election.~~

27 * * *

28 §564. Assistance in voting on election day

29 * * *

1 B. Persons prohibited from assisting voters.

2 * * *

3 (5)

4 * * *

5 (b) The commissioners shall write the voter's name in the precinct register
6 and write the name of the person, including a commissioner, assisting the voter
7 behind the tab for Assistance to Voters. If the voter is not marked for assistance in
8 voting in the precinct register the voter or the person, including a commissioner,
9 assisting the voter shall check the box behind the tab for Assistance to Voters
10 indicating that the voter has a physical disability or is unable to read. The person,
11 including a commissioner, assisting the voter shall sign his name behind the tab for
12 Assistance to Voters.

13 * * *

14 §566.2. Tabulation and counting of provisional ballots for federal office

15 * * *

16 C. Provisional ballots shall be counted ~~on the third day following the election~~
17 ~~and~~ prior to the compilation of returns pursuant to R.S. 18:574 at the office of the
18 registrar of voters or at a public facility within the parish designated by the parish
19 board of election supervisors. ~~For a presidential or regularly scheduled~~
20 ~~congressional general election, the provisional ballots may be counted on the third~~
21 ~~or fourth day, or both, following the election.~~

22 * * *

23 F. The procedure for counting provisional ballots shall be as follows:

24 * * *

25 (3) The board shall confirm each of the following with the registrar:

26 (a) The provisional voter is a registered voter in the parish.

27 (b) The provisional voter voted on the federal office or offices for which the
28 provisional voter was eligible to vote.

29 (c) The provisional voter did not vote early, absentee by mail, or at his
30 precinct on election day.

1 ~~(4)~~ (4) If the board has determined that a provisional ballot shall be counted, a
2 member of the board shall write the provisional ballot number and the word
3 "counted" adjacent to the provisional voter's name on the list of provisional voters.
4 A member of the board shall tear the flap from the envelope containing the
5 provisional ballot, attach the provisional voter's registration documentation to the
6 envelope flap, and leave the envelope sealed.

7 ~~(4)~~ (5) If the board has determined that a provisional ballot shall not be
8 counted, the members of the board shall leave the flap on the envelope containing
9 the provisional ballot, leave the envelope sealed, and shall write the word "rejected",
10 together with the reason for rejecting the provisional ballot across the envelope
11 containing the ballot. A member of the board shall write the provisional ballot
12 number and the word "rejected" adjacent to the provisional voter's name, together
13 with the reason for rejecting the provisional ballot, on the list of provisional voters.
14 The rejected provisional ballots shall be placed in the special provisional ballot
15 envelope. No rejected provisional ballot shall be counted.

16 ~~(5)~~ (6) After the validity of all provisional ballots has been determined, the
17 members of the board shall place the original signed list of provisional voters, the
18 flaps removed from the valid provisional ballots and the attached registration
19 documentation in the envelope provided for that purpose, and seal the envelope.
20 Two of the members of the board shall execute the certificate on the envelope and
21 transmit the envelope to the registrar of voters.

22 ~~(6)~~ (7) The members of the board shall open the envelopes containing the
23 valid provisional ballots and remove the ballots.

24 ~~(7)~~ (8) The provisional votes cast for a candidate for federal office shall be
25 counted by hand, and the total number of provisional votes cast for a candidate shall
26 be announced in the order the offices and candidates are listed on the provisional
27 ballot. The members of the board shall enter the total number of votes on the final
28 provisional ballot vote report and certify the results.

1 ~~(8)~~ (9) The original of the final provisional ballot vote report prepared by the
 2 parish board of election supervisors shall be transmitted to the clerk of court upon
 3 completion of the tabulation of the provisional ballots.

4 ~~(9)~~ (10) A copy of the signed list of provisional voters and a copy of the final
 5 provisional ballot vote report shall be transmitted immediately to the secretary of
 6 state.

7 * * *

8 ~~§571. Counting and tabulating the votes~~ Procedures for commissioners after
 9 termination of voting

10 A. At the termination of voting in a primary or general election, the
 11 commissioners shall announce that voting is terminated. The commissioners in the
 12 presence of the watchers shall immediately:

13 * * *

14 ~~(5) Announce the results of the election in the order the offices, candidates,~~
 15 ~~and propositions are listed on the ballot, announce that the results of the election will~~
 16 ~~be posted at the polling place for public review, and post the results of the election~~
 17 Post the printouts from the voting machines at a conspicuous place at the polling
 18 place for public viewing.

19 * * *

20 §572. Transmission of election returns; voting machine keys; machine certificates
 21 A.(1) ~~Upon completion of the counting and tabulating of votes~~ After the
 22 results are printed from the voting machines, the commissioner-in-charge shall
 23 immediately:

24 (a) Mail to the secretary of state the following:

25 (i) One copy of the ~~final result tally sheets~~ printouts from the voting
 26 machines.

27 * * *

28 §574. Compilation and promulgation of returns

29 * * *

1 F. Computation of all time intervals in this Section shall include Saturdays,
 2 Sundays, and other legal holidays. However, if the final day in a time interval falls
 3 on a Saturday, Sunday, or other legal holiday, then the next day which is not a
 4 Saturday, Sunday, or legal holiday shall be deemed to be the final day of the time
 5 interval. If one or more of the duties in this Section; required to be performed on the
 6 fourth, fifth, ~~or sixth,~~ or twelfth day after an election are delayed because of a
 7 Saturday, Sunday, or other legal holiday, the duties which follow will be delayed a
 8 like amount of time.

9 * * *

10 §1286.1. Authority to consolidate polling places; ~~reduce~~ reduction of number of
 11 voting machines and election officials

12 A. Notwithstanding any provision of R.S. 18:1286(A), when an election
 13 called under the provisions of this Chapter is not held at the same time as the election
 14 of any public official, in cases where more than one polling place is within the same
 15 location; the parish board of election supervisors may consolidate polling places in
 16 that location, for that election and may reduce the number of voting machines to be
 17 used in the election below the number fixed by R.S. 18:1363 and, in such case, shall
 18 notify, in accordance with the time line provided in R.S. 18:1363(H), the parish
 19 custodian of voting machines and the secretary of state of the number of machines
 20 to be prepared and delivered for the polling places so consolidated.

21 * * *

22 §1300.7. Governor to order election; proclamation; publication

23 A. If the required number of qualified electors of the voting area sign the
 24 petition for recall, the governor shall issue a proclamation ordering an election to be
 25 held for the purpose of voting on the question of the recall of the officer. The total
 26 number of registered voters in the voting area and the total number of registered
 27 voters in the voting area signing the petition shall be calculated from the totals on the
 28 certificates of all of the registrars of voters received by the governor. The governor
 29 shall issue such proclamation within fifteen days after he receives the certified
 30 petitions from all of the registrars of voters in the voting area who have received

1 petitions for certification. If the final day for the governor to issue the proclamation
 2 falls on a Saturday, Sunday, or legal holiday, then the next day which is not a
 3 Saturday, Sunday, or legal holiday shall be deemed to be the final day for issuing the
 4 proclamation. The proclamation shall order the election to be held on the next
 5 available date specified in R.S. 18:402(F). If the election is to be held on a primary
 6 election date, the proclamation shall be issued on or before the last day for
 7 candidates to qualify in the election. If the election is not to be held on a primary
 8 election date, then the proclamation shall be issued on or before the ~~forty-sixth~~ fifty-
 9 fourth day prior to the election.

10 * * *

11 §1307. Application by mail

12 * * *

13 C. If the applicant is a member of the United States Service or resides
 14 outside the United States, he may use the federal postcard application or an
 15 application electronically transmitted by the registrar or secretary of state, and the
 16 application shall be received by the registrar no later than 4:30 p.m. on the day
 17 before the election. Such application shall be valid for a period extending at least
 18 one year from the date the application is received in the office of the registrar of
 19 voters ~~through two subsequent~~ such period shall include at least one regularly
 20 scheduled federal general elections election. If the registrar rejects the application
 21 of an applicant who is a member of the United States Service or resides outside the
 22 United States, the registrar shall provide the applicant with written reasons for the
 23 rejection.

24 * * *

25 G. If the applicant is eligible to vote absentee by mail pursuant to R.S.
 26 18:1303(F), (I), or (J), his application, if such application meets the requirements of
 27 this Section, ~~shall~~ may remain valid indefinitely upon request of the applicant, unless
 28 an absentee by mail ballot that has been sent to the applicant is returned to the
 29 registrar as undeliverable. If the applicant's absentee by mail ballot is returned to the
 30 registrar as undeliverable, the registrar shall send notice by forwardable mail to such

1 applicant that his application will no longer be valid, and the applicant shall be
2 required to submit a new application to the registrar that meets the requirements of
3 this Section and provide a current address before the applicant will be eligible to vote
4 absentee by mail again pursuant to this Section.

5 * * *

6 §1313. Tabulation and counting of absentee by mail and early voting ballots

7 * * *

8 F. The procedure for counting absentee by mail ballots shall be as follows:

9 * * *

10 (9) If a ballot is physically damaged or cannot properly be counted by the
11 counting equipment and the vote cast by the voter is clearly discernible from a
12 physical inspection of the defective ballot, the ballot may be counted by hand or a
13 true duplicate may be made of the defective ballot in the presence of witnesses and
14 substituted for the ballot. ~~The~~ Any duplicate ballot shall be clearly labeled
15 "duplicate", bear a ballot number which shall be recorded on the defective ballot, and
16 be counted in lieu of the defective ballot. After a ballot has been duplicated, the
17 defective ballot shall be placed in the special absentee by mail and early voting ballot
18 envelope or container, and the duplicate ballot shall be counted with the other valid
19 ballots.

20 * * *

21 G. The procedure for counting early voting machine ballots and paper ballots
22 voted during early voting shall be as follows:

23 * * *

24 (11) If a ballot is physically damaged or cannot properly be counted by the
25 counting equipment and the vote cast by the voter is clearly discernible from a
26 physical inspection of the defective ballot, the ballot may be counted by hand or a
27 true duplicate may be made of the defective ballot in the presence of witnesses and
28 substituted for the ballot. ~~The~~ Any duplicate ballot shall be clearly labeled
29 "duplicate", bear a ballot number which shall be recorded on the defective ballot, and
30 be counted in lieu of the defective ballot. After a ballot has been duplicated, the

1 defective ballot shall be placed in the special absentee by mail and early voting ballot
2 envelope or container, and the duplicate ballot shall be counted with the other valid
3 ballots.

4 * * *

5 §1354. Parish custodian of voting machines; powers and duties; appointment of
6 deputy custodians

7 * * *

8 B. In addition to any other duties vested in him by law, the parish custodian
9 shall:

10 * * *

11 (8) Transmit the election results to the secretary of state in the manner
12 directed by the secretary of state.

13 * * *

14 §1363. Number of machines; allocation to precincts; exception; reserve machines

15 * * *

16 B. The parish board of election supervisors may reduce the number of voting
17 machines to be allocated and used in elections called under the provisions of Chapter
18 6-A or Chapter 6-B of this Code when the election is not held at the same time as the
19 election of any public official. In such case, the parish board of election supervisors
20 shall notify the parish custodian of voting machines and the secretary of state at least
21 ~~three~~ four weeks prior to such election; of the number of machines to be prepared
22 and delivered for the polling places.

23 * * *

24 D. The parish board of election supervisors may reduce the number of voting
25 machines to be allocated and used in an election called under the provisions of
26 Chapter 6, Part III of this Title; where the only other election on the ballot is for the
27 election of political party committee members. Not less than ~~twenty-one~~ twenty-
28 nine days prior to such an election, the parish board of election supervisors shall

1 notify the parish custodian of voting machines and the secretary of state of the
 2 number of voting machines to be prepared and delivered to each polling place.

3 * * *

4 G. The parish board of election supervisors may submit a written request to
 5 the secretary of state, ~~on or before the twenty-third day prior to an election,~~ for
 6 additional voting machines for overcrowded precincts. The written request shall be
 7 submitted on or before the twenty-ninth day prior to the election and shall include
 8 the number of additional voting machines requested and an explanation of the need
 9 for additional voting machines. If the secretary of state determines that there is a
 10 need for additional voting machines and that the provision of additional voting
 11 machines is feasible, he may allocate additional voting machines.

12 H. The parish board of election supervisors may submit a written request to
 13 the secretary of state, ~~on or before the twenty-third day prior to an election,~~ to reduce
 14 the number of voting machines to be allocated and used in an election other than an
 15 election provided for in Subsection B or D of this Section. The written request shall
 16 be submitted on or before the twenty-ninth day prior to a primary election and at
 17 least four weeks prior to a general election and shall include the proposed reduced
 18 number of voting machines and an explanation of the need for the reduction in the
 19 number of voting machines. If the secretary of state determines that the reduction
 20 in the number of voting machines is feasible, he may reduce the number of voting
 21 machines.

22 * * *

23 §1373. Notice of preparation of machines for election; preparation of machines for
 24 election; testing and adjusting; examination by candidate or his
 25 representative; securing and sealing machines

26 A.(1) The secretary of state shall notify each parish custodian of the time and
 27 place at which he will begin preparing and testing the voting machines for an
 28 election. The ~~parish custodian then shall mail a notice to~~ qualifying official shall at
 29 the time of qualifying provide each candidate in the election, ~~stating with a~~
 30 chronological table of procedures for the election that instructs the candidate to

1 contact the parish custodian for the time and place at which the preparation and
2 testing of the machines will be conducted, ~~the time and place~~ and when the machines
3 will be sealed; and ~~stating~~ states that the candidate or his representative may be
4 present to observe the preparation, testing, and sealing of the machines by the parish
5 custodian.

6 * * *

7 §1402. Proper parties

8 * * *

9 C. The secretary of state, in his official capacity, shall be made a party
10 defendant to any action contesting an election for public office, an election
11 submitting a proposition to the voters, or an election for the recall of a public officer.
12 The secretary of state, in his official capacity, shall be made defendant to any action
13 objecting to the calling of a special election. The secretary of state, in his official
14 capacity, shall be made a party defendant to any action contesting the certification
15 of a recall petition. The secretary of state shall have standing to intervene in an
16 action objecting to candidacy in which the secretary of state was not the qualifying
17 official.

18 * * *

19 Section 2. R.S. 18:104 is hereby amended and reenacted to read as follows:

20 §104. Application for registration; form

21 A. The secretary of state, subject to approval by the attorney general as to
22 content, shall prescribe the form that shall be used uniformly by each registrar in the
23 state and any person authorized to accept voter registration applications in registering
24 qualified citizens to vote. The form shall contain spaces for at least the following
25 required information with respect to be provided by the applicant for the registrar of
26 voters to assess eligibility:

- 27 (1) Date of application.
- 28 (2) Name.
- 29 (3) ~~Sex and date~~ Date of birth.
- 30 (4) ~~Municipality, parish or county, state or province, and country of birth.~~

1 ~~(5) Whether the applicant is currently under an order of imprisonment for~~
 2 ~~conviction of a felony.~~

3 ~~(6) Whether the applicant is currently under a judgment of full interdiction~~
 4 ~~for mental incompetence, or a limited interdiction in which the right to register and~~
 5 ~~vote has specifically been suspended.~~

6 ~~(7) Place of residence, including street or apartment number or both,~~
 7 ~~municipality (if any), and if a rural address, sufficient information, in addition to~~
 8 ~~route and post box number, to identify the precinct of residence, and mailing address.~~

9 ~~(8) Name of state, parish, ward and precinct number, and the registration~~
 10 ~~number.~~

11 ~~(9) Place of last residence.~~

12 ~~(10) The state and parish or county of last registration.~~

13 ~~(11) Political party affiliation or, if none, an entry to that effect.~~

14 ~~(12) Information sufficient for clear and precise identification of the~~
 15 ~~applicant as the person he claims to be and subsequently for his identification at the~~
 16 ~~polls. This information may include mother's maiden name, father's middle name,~~
 17 ~~name of spouse, occupation, and employer.~~

18 ~~(13) Whether or not the applicant requires assistance when he votes, and if~~
 19 ~~so, the reason therefor. If the person is unable to read or write English, the form~~
 20 ~~shall show in which language he is entitled to printed materials and ballots and~~
 21 ~~assistance if his language is one of a minority language group under a determination~~
 22 ~~made under the federal Voting Rights Act.~~

23 ~~(14) Space for changes of address within the parish, changes of name,~~
 24 ~~changes of party affiliation, dates of any of these, and remarks.~~

25 ~~(15) The application form also shall inform the applicant of the penalty for~~
 26 ~~violation of applicable laws relating to registration of voters and shall contain an~~
 27 ~~affidavit to be subscribed, through a handwritten signature, attesting that the~~
 28 ~~applicant is a United States citizen and that the facts given by him on this application~~
 29 ~~are true to the best of his knowledge and belief. When the registration application~~
 30 ~~is completed at the office of motor vehicles of the Department of Public Safety and~~

1 ~~Corrections or electronically on the secretary of state's website, an electronically~~
 2 ~~captured signature of the applicant shall suffice as a handwritten signature of the~~
 3 ~~applicant.~~

4 ~~(16)~~ (5) Louisiana driver's license number or Louisiana special identification
 5 card number, if issued, or if no Louisiana driver's license or Louisiana special
 6 identification card has been issued, the last four digits of the social security number,
 7 if issued. The full social security number of the applicant may be provided on a
 8 voluntary basis by the applicant. If the applicant has neither a Louisiana driver's
 9 license, a Louisiana special identification card, or a social security number, the
 10 applicant shall attach one of the following items to his application:

- 11 (a) A copy of a current and valid photo identification.
- 12 (b) A copy of a current utility bill, bank statement, government check,
 13 paycheck, or other government document that shows the name and address of the
 14 applicant.

15 ~~(17) Ethnic origin, which shall at least include Hispanic, American Indian,~~
 16 ~~Asian, and other as choices.~~

17 B. The form shall also contain spaces for the following additional
 18 information to be provided by the applicant with the initial application or in response
 19 to a request for additional information by the registrar of voters for clear and
 20 sufficient identification of the applicant as the person he claims to be and
 21 subsequently for his identification at the polls:

- 22 (1) Sex.
- 23 (2) Race or ethnic origin, which shall at least include Hispanic, American
 24 Indian, Asian, and other as choices.
- 25 (3) A single political party affiliation or, if none, an entry to that effect.
- 26 (4) Place of birth.
- 27 (5) Mother's maiden name.
- 28 (6) Electronic mail address.
- 29 (7) Telephone number.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 (8) Whether the applicant requires assistance when he votes, and if so, the
2 reason therefor. If the person is unable to read or write English, the form shall show
3 in which language he is entitled to printed materials and ballots and assistance if his
4 language is one of a minority language group as determined pursuant to the federal
5 Voting Rights Act.

6 (9) Last residence address.

7 (10) Place of last registration.

8 (11) Former registered name, if applicable.

9 C. The form shall inform the applicant of the penalty for violation of
10 applicable laws relating to registration of voters and shall contain an affidavit to be
11 subscribed, through a handwritten signature, attesting that the applicant is a United
12 States citizen, is not currently under an order of imprisonment for conviction of a
13 felony, is not currently under a judgment of full interdiction for mental
14 incompetence, or a limited interdiction in which the right to register to vote has
15 specifically been suspended and that the facts given by him on the application are
16 true to the best of his knowledge and belief. When the registration application is
17 completed at the office of motor vehicles of the Department of Public Safety and
18 Corrections or electronically on the secretary of state's website, an electronically
19 captured signature of the applicant shall suffice as a handwritten signature of the
20 applicant.

21 D. The form shall include the questions "Are you a citizen of the United
22 States of America?" and "Will you be 18 years of age on or before election day?" and
23 the statement "If you checked 'no' in response to either of these questions, do not
24 complete the form."

25 E. In no event shall information with respect to race or ethnic origin be
26 required for registration. However, such information may be given voluntarily by
27 the applicant for registration and a registrar may keep statistics with respect to race
28 and ethnic origin.

29 ~~E.~~ F. Upon request, the registrar shall furnish each applicant a copy of his
30 application form, and the applicant shall be informed that he may obtain such copy.

1 ~~D. G.~~ The secretary of state may require such reasonable additional
2 information as he deems necessary for the effective registration of voters.

3 E. H. No voter registration application form except that prescribed by the
4 secretary of state shall be used by any registrar.

5 ~~F. I.~~ The secretary of state may remove any spaces for information on the
6 form required by this Section if such requirement does not receive preclearance
7 pursuant to the Voting Rights Act of 1965.

8 ~~G. J.~~ No voter registration application shall be complete unless the applicant
9 provides one of the forms of identification provided for in Paragraph ~~(16)~~ of
10 ~~Subsection A (A)(5)~~ of this Section.

11 Section 3. R.S. 18:114(F)(2) is hereby amended and reenacted to read as follows:

12 §114. Registration at driver's license facilities

13 * * *

14 F. Procedures for voter registration pursuant to this Section shall be as
15 follows:

16 * * *

17 (2) Any employee authorized to accept an application to obtain, renew, or
18 change the name or address on a driver's license or identification card shall offer
19 voter registration to any person making such an application, shall obtain written and
20 signed confirmation of any declination of the offer of voter registration, and, upon
21 request, shall provide assistance to any person who desires to register to vote. Such
22 assistance may consist of answering any question that person might have about
23 completing the registration form. However, if the person requesting assistance has
24 a physical disability or is unable to read or write English, the authorized employee
25 shall provide such assistance as is allowed to be provided by registrars of voters
26 under the provisions of R.S. 18:106.

27 * * *

28 Section 4. R.S. 18:1310(D)(2) is hereby amended and reenacted to read as follows:

29 §1310. Execution of certificate; marking of ballot; casting vote; assistance

30 * * *

1 D.

2 * * *

3 (2) Upon receiving the replacement ballot, the voter shall mark the ballot and
4 return it to the registrar as provided in this Section. The voter shall not return the
5 spoiled ballot to the registrar, but shall destroy it. If the voter sends both the spoiled
6 ballot and the replacement ballot to the registrar; and the board can determine which
7 is the spoiled ballot and which is the replacement ballot, the board shall count the
8 replacement ballot. If the board cannot determine which is the spoiled ballot and
9 which is the replacement ballot, each of such ballots shall be void.

10 Section 5. R.S. 18:176(D), 200, 431(A)(5), and 1313(F)(11) are hereby repealed in
11 their entirety.

12 Section 6. The Louisiana State Law Institute is hereby directed to redesignate R.S.
13 18:221 as R.S. 18:66 and place it in its entirety within Chapter 3 of Title 18.

14 Section 7.(A) This Section and Sections 1, 5, and 6 of this Act shall become
15 effective upon signature of this Act by the governor or, if not signed by the governor, upon
16 expiration of the time for bills to become law without signature by the governor, as provided
17 by Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the
18 governor and subsequently approved by the legislature, this Section and Sections 1, 5, and
19 6 of this Act shall become effective on the day following such approval.

20 (B) Section 2 of this Act shall become effective January 1, 2018.

21 (C) Sections 3 and 4 of this Act shall become effective August 1, 2017.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____