

2018 Regular Session

HOUSE BILL NO. 795

BY REPRESENTATIVE GARY CARTER

VOTERS/VOTING: Shortens the period between the close of registration records and an election

1 AN ACT

2 To amend and reenact R.S. 18:115(E)(1), 135(A)(1) and (3), and 152(C)(2)(b) and to enact
3 R.S. 18:1309(N), relative to requirements for voting; to provide relative to voter
4 registration; to provide relative to voter registration requirements; to provide relative
5 to the close of voter registration; to provide relative to election procedures; to
6 provide relative to the precinct register; to provide relative to procedures for
7 supplementing the precinct register after printing; to provide relative to the duties of
8 certain election officials relative to voter registration and election procedures; and
9 to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 18:115(E)(1), 135(A)(1) and (3), and 152(C)(2)(b) are hereby
12 amended and reenacted and R.S. 18:1309(N) is hereby enacted to read as follows:

13 §115. Registration by mail

14 * * *

15 E.(1) Mail voter registration applications returned through the United States
16 Postal Service shall be deemed to have been made as of the date of the postmark
17 affixed to such application by the United States Postal Service, or if no such
18 postmark is affixed or if the postmark affixed by the United States Postal Service is
19 illegible or bears no date, such application shall be deemed to have been made timely
20 if received through the United States mail by the registrar of voters no later than the

1 close of business on the ~~thirtieth day prior to an~~ day the registration records are
2 closed for the election pursuant to R.S. 18:135(A)(1).

3 * * *

4 §135. Close of registration

5 A.(1) Registrars shall close the registration records ~~thirty~~ twenty days prior
6 to an election. However, if the deadline falls on a legal holiday, the registrars shall
7 close the registration records on the first day after such holiday which is not a
8 Saturday, Sunday, or other legal holiday.

9 * * *

10 (3) Notwithstanding the provisions of Paragraph (1) of this Subsection,
11 registrars shall close the registration records ~~twenty~~ seven days prior to an election
12 for a each of the following:

13 (a) A person who makes application pursuant to R.S. 18:115.1 to register to
14 vote or to make changes to an existing registration and who has been informed;
15 pursuant to R.S. 18:115.1(C)(4)(b); that his application has been electronically
16 forwarded to the appropriate registrar of voters.

17 (b) A person who has a valid Louisiana driver's license or Louisiana special
18 identification card issued pursuant to R.S. 40:1321 and who makes application in
19 person at the office of the registrar to register to vote or to make changes to an
20 existing registration.

21 * * *

22 §152. Required records

23 * * *

24 C.

25 * * *

26 (2)

27 * * *

28 (b) Prior to delivery of the precinct register to the contractor authorized by
29 the secretary of state to deliver voting machines pursuant to R.S. 18:1371, the

1 registrar shall add the names and collateral information on those ~~mail registrants and~~
 2 ~~registrants who submitted an electronic application pursuant to R.S. 18:115.1~~ who
 3 were verified after the printing of the precinct register. Such listing of registrants
 4 shall be considered to be a supplement to the official list of voters and a part of the
 5 precinct register. Subsequent to the delivery of the precinct register, the registrar
 6 shall add the names and collateral information on those ~~mail registrants and~~
 7 ~~registrants who submitted an electronic application pursuant to R.S. 18:115.1~~ who
 8 were verified after the delivery of the precinct register. Such listing of registrants
 9 shall be considered another supplement to the official list of voters and a part of the
 10 precinct register. Any supplemental list so produced shall be delivered to the
 11 precinct in the same manner as a list of absentee voters who voted absentee by mail
 12 and whose ballots were received after the precinct register was sealed.

* * *

14 §1309. Early voting; verification

* * *

16 N.(1) A person who has a valid Louisiana driver's license or Louisiana
 17 special identification card issued pursuant to R.S. 40:1321 may apply to register to
 18 vote or to make changes to his existing registration on the same day that the person
 19 seeks to vote during early voting by making application in person at the office of the
 20 registrar where he is qualified to vote during early voting.

21 (2) Upon submission of the application, the registrar shall determine whether
 22 the applicant meets the requirements for registration pursuant to the provisions of
 23 Chapter 4 of this Code. If the registrar adds the applicant to the official list of voters
 24 or makes a change in the applicant's existing registration and determines that the
 25 applicant is qualified to vote during early voting at the office of the registrar, the
 26 applicant may vote in accordance with the provisions of this Section.

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)]

HB 795 Original

2018 Regular Session

Gary Carter

Abstract: Changes the general close of registration records from 30 days prior to the election to 20 days prior to the election and from 20 days prior to the election to 7 days prior to the election for certain people who register to vote online or in person in the office of the registrar.

Present law (R.S. 18:521) provides that all persons who have registered to vote prior to the time the registration records are closed as required in present law (R.S. 18:135) may vote in the election for any candidates except those seeking membership on a committee of a political party with which the voter is not registered as being affiliated.

Present law (R.S. 18:103) provides that a person who meets the qualifications for voter registration may apply in person at the office of the registrar, using the federal postcard application, through the Dept. of Public Safety and Corrections, through designated voter registration agencies, and through the mail using certain forms.

Present law (R.S. 18:115.1) additionally provides that a person who has a valid La. driver's license or La. special identification card may apply to register to vote or make changes to his existing registration by completing and submitting an electronic voter registration application on the secretary of state's website. Provides for the content of the electronic voter registration application. Provides for immediate verification of the driver's license number or special identification card number submitted by the applicant. Provides that if a verification is made, the secretary of state shall electronically forward the information provided in the application to the appropriate registrar of voters to determine the eligibility of the applicant in accordance with present law and to immediately inform the applicant.

Proposed law retains present law.

Present law (R.S. 18:135) generally requires the registrar to close the registration records 30 days prior to an election, unless the deadline falls on a legal holiday, in which case the deadline is moved to the next day that is not a holiday. Provides that the registration records may be closed at a later time under certain circumstances involving emergencies.

Proposed law changes the general close of registration records from 30 days prior to the election to 20 days prior to the election. Otherwise retains present law.

Present law provides that for a person who registers online pursuant to present law (R.S. 18:115.1), the registration records close 20 days prior to the election.

Proposed law changes the close of registration records for people who register online from 20 days prior to the election to seven days prior to the election. Additionally provides that the registration records close seven days prior to the election for a person who has a valid La. driver's license or La. special identification card and who makes application in person at the office of the registrar.

Present law (R.S. 18:157) requires the registrar, prior to an election, to deliver a precinct register to each precinct in the parish that is involved in the election. Requires the precinct register to include the official list of voters and the inactive list of voters in each precinct. Present law (R.S. 18:562 and 1309) requires election officials during early voting and on election day to attempt to establish the identity of each voter by matching identifying

information presented by the voter with information in the precinct register (during early voting, officials also use the state voter registration computer system for verification).

Present law (R.S. 18:152) requires the registrar, prior to delivery of the precinct register, to add the names and collateral information on those mail registrants and online registrants that were verified after the printing of the precinct register. Provides that such listing of registrants shall be considered to be a supplement to the official list of voters and a part of the precinct register. Requires the registrar, subsequent to the delivery of the precinct register, to add the names and collateral information on those mail registrants and online registrants that were verified after the delivery of the precinct register. Provides that such listing of registrants shall be considered another supplement to the official list of voters and a part of the precinct register. Provides that any supplemental list so produced shall be delivered to the precinct in the same manner as a list of absentee voters who voted absentee by mail and whose ballots were received after the precinct register was sealed.

Proposed law removes references to mail and online registrants and instead requires the registrar to supplement the official list of voters in the precinct register with the names and collateral information for all registrants who were verified after the printing or delivery of the precinct register, including those in present law and proposed law. Otherwise retains present law.

Present law (R.S. 18:1309) provides relative to early voting application and early voting. Provides that the early voting period for conducting early voting is the period from 14 days prior to the election to seven days prior to the election. Provides procedures and requirements. Requires the registrar during the early voting period to maintain regular office hours, remaining open from 8:30 a.m. to 6:00 p.m. Mon. through Sat. to allow for early voting to be conducted.

Present law (R.S. 18:101.1) provides for the verification of registration information provided by an applicant. Provides that for applicants who have a La. driver's license or La. special identification card, the registration information provided by the applicant shall be verified to ensure that the driver's license number or special identification card number provided by the applicant matches the information maintained by the Dept. of Public Safety and Corrections. Provides that if a match is made, the registrar of voters shall add the applicant to the official list of voters and the registrar shall send a notice of registration to the applicant. Provides that if a match cannot be made, the registrar of voters shall notify the applicant in writing and inform him that he has ten days from the date on which the verification letter was mailed to respond to the verification letter.

Proposed law retains present law.

Proposed law provides that a person who has a valid La. driver's license or La. special identification card may apply to register to vote or to make changes to his existing registration on the same day that the person seeks to vote during early voting by making application in person at the office of the registrar where he is qualified to vote during early voting. Provides that upon submission of the application, the registrar shall determine whether the applicant meets the requirements for registration pursuant to present law. Provides that if the registrar adds the applicant to the official list of voters or makes a change in the applicant's existing registration and determines that the applicant is qualified to vote during early voting at the office of the registrar, the applicant may vote in accordance with the provisions of present law.

(Amends R.S. 18:115(E)(1), 135(A)(1) and (3), and 152(C)(2)(b); Adds R.S. 18:1309(N))