

Regular Session, 2009

HOUSE BILL NO. 507

BY REPRESENTATIVE PUGH AND SENATOR THOMPSON

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

1 AN ACT

2 To amend and reenact R.S. 3:3010 and R.S. 18:3(C), 107(B), (C), and (D), 110(A)(3), 112,  
3 151(A) and (C), 152(A)(1)(introductory paragraph), (a), and (b), (B), and (D), 152.1,  
4 176(A)(3)(b), (B), and (C), 198(C), and 564(D)(1)(b) and to repeal R.S.  
5 18:152(A)(2), relative to records of registrars of voters; to provide for the  
6 maintenance of records of the registrars of voters; to provide for the form of the  
7 records; to provide relative to the retention of the records; to provide relative to  
8 changes to the records; to provide for the procedures of registrars relative to the use  
9 of the records; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 3:3010 is hereby amended and reenacted to read as follows:

12 §3010. Filing of petition with registrar of voters

13 The petition for such local option election shall be filed with the registrar of  
14 voters of the parish in which the ward is situated within sixty days of the date of the  
15 first signature affixed thereto and when so filed shall become a ~~permanent~~ public  
16 record.

17 Section 2. R.S. 18:3(C), 107(B), (C), and (D), 110(A)(3), 112, 151(A) and (C),  
18 152(A)(1)(introductory paragraph), (a), and (b), (B), and (D), 152.1, 176(A)(3)(b), (B), and  
19 (C), 198(C), and 564(D)(1)(b) are hereby amended and reenacted to read as follows:

20 §3. Petitions submitted to registrars of voters

21 \* \* \*

22 C. In determining the number of persons signing the petition who are  
23 electors in the voting area for the purpose of certifying the petition, the registrar shall  
24 not include any person who has not affixed to the petition his signature and the

1 address at which he is registered to vote, any person whose signature has not been  
 2 verified by the registrar, or any person whose name does not appear on the registrar's  
 3 roll of electors. To verify a signature on a petition, the registrar shall compare the  
 4 handwritten signature on the petition with the signature on the original application  
 5 card or any subsequent signature in the records of the registrar, including but not  
 6 limited to precinct registers and affidavits filed pursuant to the provisions of R.S.  
 7 18:111(C), or any microfilm, microfiche, or scanned or electronically captured  
 8 computerized images of such documents. If the signatures are sufficiently alike to  
 9 identify the person who signed the petition as the person who is the registered voter,  
 10 the signature shall be verified. The signature of an elector shall include the surname  
 11 under which the elector is registered to vote. The signature may include the elector's  
 12 surname, first, and middle name, the initials of his surname, first, and middle name,  
 13 or any combination thereof as the form in which his name appears on the petition,  
 14 but shall not designate a title, designation, or deceptive name, nor shall it designate  
 15 an occupational or professional description or abbreviation. However, the signature  
 16 of a married woman may include her husband's surname, first, and middle name, the  
 17 initials of his surname, first, and middle name, or any combination thereof, preceded  
 18 by the title "Mrs." as the form in which her name appears on the petition, but only  
 19 if she has registered under her husband's name preceded by the title "Mrs."

\* \* \*

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

\* \* \*

23 B. An elector may change his party affiliation by making application therefor  
 24 in writing to the registrar. When he receives the request, the registrar shall note the  
 25 political party designated by the registrant and the date of the change in the  
 26 registrant's information on the state voter registration computer system and, if the  
 27 original application is available in hard copy in the registrar's office, on the original  
 28 application form ~~and on the voting certificate.~~

29 C. If a registrant has registered without declaration of party affiliation and  
 30 afterwards desires to affiliate with a party, he shall make written application therefor

1 to the registrar, and the registrar shall enter in the registrant's information on the state  
2 voter registration computer system and, if the original application is available in hard  
3 copy in the registrar's office, on the original application form, ~~and on the voting~~  
4 ~~certificate~~ the party the registrant selects and the date of the change.

5 D. If a registrant has registered with a declaration of party affiliation and  
6 afterwards desires to affiliate with no party, he shall make written application  
7 therefor to the registrar, and the registrar shall ~~draw a line through the party~~  
8 ~~affiliation previously designated and shall~~ enter in the registrant's information on the  
9 state voter registration computer system and, if the original application is available  
10 in hard copy in the registrar's office, on the original application form, ~~and on the~~  
11 ~~voting certificate~~ the word "NONE" and the date of the change.

12 \* \* \*

13 §110. Removal from precinct; removal from parish

14 A.

15 \* \* \*

16 (3) Upon receipt of an application for a change of registration, the registrar  
17 shall compare the signature on the application with the signature on the original  
18 application card, any subsequent signature in the records of the registrar, or the  
19 signature on any microfilm, microfiche, or scanned or electronically captured  
20 computerized images of documents in the records of the registrar. If the signatures  
21 are sufficiently alike to identify the applicant as the registered voter, the change shall  
22 be made and the date of the change of residence and the new ward and precinct shall  
23 be recorded in the registrant's information on the state voter registration computer  
24 system and, if the original application is available in hard copy in the registrar's  
25 office, on the original application form. If the application is signed by a mark  
26 witnessed by the signatures of two witnesses, the registrar shall make the change on  
27 the basis of the application.

28 \* \* \*

1 §112. Endorsement of changes

2 Whenever any change is made with respect to the registration of any person,  
3 the date of the change and all pertinent information concerning the change shall be  
4 entered by the registrar in the registrant's information on the state voter registration  
5 computer system and, if the original application is available in hard copy in the  
6 registrar's office, on the original application for registration and ~~on~~ any other official  
7 registration records.

8 \* \* \*

9 §151. Custody of records

10 A. The original application for registration, together with the registers,  
11 records, files, books, and paraphernalia used for conduct of the registrar's office,  
12 shall be kept under the control and in the custody of the registrar at his principal  
13 office and shall be removed therefrom only as provided in this Section, as authorized  
14 by law, or on order of a competent court. However, if his permanent branch office  
15 is separated from his principal office by navigable waters, the registrar may allow  
16 his ~~permanent~~ records to be kept both in his principal office and the permanent  
17 branch office.

18 \* \* \*

19 C. For purposes of this Part, the original application for registration shall  
20 include the actual document or form completed by the voter ~~or any microfilm,~~  
21 ~~microfiche, or scanned computerized image of such document~~ and all documented  
22 changes thereto.

23 §152. Required records

24 A.(1) Each registrar shall ~~keep as permanent~~ retain the following records in  
25 accordance with an approved retention schedule as required by R.S. 44:411:

26 (a) All original applications for registration, if available in hard copy, filed  
27 alphabetically for the entire parish or for each ward and precinct or for each precinct  
28 of the parish, or microfilm, microfiche, or scanned or electronically captured  
29 computerized images of such documents.

1 (b) The originals of all affidavits made pursuant to this Chapter or microfilm,  
2 microfiche, or scanned or electronically captured computerized images of such  
3 documents.

4 \* \* \*

5 B. Each registrar shall keep a master file consisting of all original  
6 applications for registration made by persons who are currently registered, if  
7 available in hard copy, arranged alphabetically for the parish or for each ward and  
8 precinct or for each precinct of the parish, or any microfilm, microfiche, or scanned  
9 or electronically captured computerized images of such documents. The parish  
10 governing authority shall provide the registrar with safe, secure, and fireproof  
11 storage space for use as a depository for the master file.

12 \* \* \*

13 D. The registrar in each parish shall keep a cancellation file in which he shall  
14 place the original application for registration of each person whose registration is  
15 canceled, if the original application is available in hard copy in the registrar's office.

16 \* \* \*

17 §152.1. Destruction of records of the registrar of voters

18 If original records of a registrar of voters are destroyed as a result of  
19 catastrophic loss or damage and there are no microfilm, microfiche, or scanned or  
20 electronically captured computerized images of the original records of voters, every  
21 attempt shall be made to re-create the records of voters who are not canceled.  
22 Computer records from the secretary of state's database shall be deemed the original  
23 records until such time as the records can be ~~re-created~~ recreated.

24 \* \* \*

25 §176. Suspension and cancellation of registration and challenge of unlawful  
26 registration on the basis of reports

27 A.

28 \* \* \*

29 (3)

30 \* \* \*

1 (b) If the registrant fails to appear within the required twenty-one days, the  
 2 registrar shall suspend the registration ~~by deleting the registrant's name from~~ in the  
 3 ~~statewide computer registration system~~ state voter registration computer system and,  
 4 if necessary, by drawing in red ink a line through the registrant's name on the  
 5 precinct register and the duplicate precinct register. Such line shall be initialed by  
 6 the registrar or employee of the registrar. The registrar shall note ~~on the registration~~  
 7 ~~record and~~ in the registrant's information on the state voter registration computer  
 8 system and, if the original application is available in hard copy in the registrar's  
 9 office, on the original application for registration that the registrar has been notified  
 10 of conviction of a felony for which there is an order of imprisonment, and he shall  
 11 note also the date of the suspension and the date of the report, when applicable. ~~The~~  
 12 If the original application is available in hard copy in the registrar's office, the  
 13 registrar shall remove the original application from his file of eligible voters and  
 14 shall place it in his suspension file. In addition, each person whose registration is  
 15 suspended under this Subsection shall immediately be notified of the suspension and  
 16 the reason therefor.

17 \* \* \*

18 B. Upon receipt of the report required by R.S. 18:172, the registrar shall  
 19 suspend the registration of the interdict for the period of interdiction. The registrar  
 20 shall suspend the registration of each person listed ~~therein by deleting the name from~~  
 21 ~~the statewide computer registration system~~ on the report in the state voter registration  
 22 computer system and, if necessary, by drawing in red ink a line through the name of  
 23 such person on the precinct register and the duplicate precinct register. Such line  
 24 shall be initialed by the registrar or employee of the registrar. The registrar shall  
 25 note ~~on the registration record and~~ in the registrant's information on the state voter  
 26 registration computer system and, if the original application is available in hard copy  
 27 in the registrar's office, on the original application for registration that the registrar  
 28 has been notified of an order of a judgment of interdiction, and he shall note also the  
 29 date of the suspension and the date of the report. ~~The~~ If the original application is  
 30 available in hard copy in the registrar's office, the registrar shall remove the original

1 application from his file of eligible voters and shall place it in his suspension file.  
2 In addition, each person whose registration is suspended under this Subsection shall  
3 immediately be notified of the suspension and the reason therefor.

4 C. Immediately upon receipt of a report required by R.S. 18:173, the  
5 registrar shall cancel the registration of each person listed ~~therein by deleting the~~  
6 ~~name from the statewide computer registration system~~ on the report in the state voter  
7 registration computer system and, if necessary, by drawing in red ink a line through  
8 the name of such person on the precinct register and the duplicate precinct register.  
9 Such line shall be initialed by the registrar or employee of the registrar. The registrar  
10 shall note ~~on the registration record and~~ in the registrant's information on the state  
11 voter registration computer system and, if the original application is available in hard  
12 copy in the registrar's office, on the original application for registration that the  
13 registrar has received a report of death, and he shall note ~~also~~ the date of the  
14 cancellation and the date of the report. ~~The~~ If the original application is available in  
15 hard copy in the registrar's office, the registrar shall remove the original application  
16 from his file of eligible voters and shall place it in his cancellation file.

17 \* \* \*

18 §198. Change of residence or change in address; inquiry by registrar; change of  
19 records

20 \* \* \*

21 C. The registrar shall send such card to the registrant's address shown on the  
22 registration records and to the address the registrar believes to be the registrant's new  
23 address. Upon return of the card, signed by the registrant, the registrar shall enter  
24 any change ~~in the registration records and~~ in the registrant's information on the state  
25 voter registration computer system and, if the original application is available in hard  
26 copy in the registrar's office, on the original application for registration.

27 \* \* \*

