

2016 Regular Session

HOUSE BILL NO. 1091

BY REPRESENTATIVE IVEY

ELECTIONS: Provides for the conduct of federal elections

1 AN ACT

2 To amend and reenact R.S. 18:401, 402(B), (E)(1)(b) and (2)(b) and (F)(2), 467(2), 481,  
3 511(A) and (B), 1272(A), and 1355(6) and to enact R.S. 18:1275.1 through 1275.23,  
4 relative to elections; to provide for the system of elections for congressional offices;  
5 to provide for a party primary; to provide relative to procedures and requirements for  
6 voting; to provide for the application of certain provisions of the Louisiana Election  
7 Code to congressional elections; to provide for election dates; to provide relative to  
8 qualification of candidates for primary and general elections; to provide relative to  
9 objections to candidacy; to provide relative to the election of candidates in a primary  
10 and general election; to provide relative to election materials; to provide relative to  
11 voting machines; to provide for effectiveness; and to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 18:401, 402(B), (E)(1)(b) and (2)(b) and (F)(2), 467(2), 481, 511(A)  
14 and (B), 1272(A), and 1355(6) are hereby amended and reenacted and R.S. 18:1275.1  
15 through 1275.23 are hereby enacted to read as follows:

16 §401. Purpose and nature of primary and general elections

17 A. Purpose. Primary and general elections are held to elect persons to  
18 ~~Congress~~ congress and to all the elective offices in this state, except the office of  
19 presidential elector.

20 B. Nature. ~~All~~ (1) Except for the election of persons to congress, all  
21 qualified voters of this state may vote on candidates for public office in primary and  
22 general elections without regard to the voter's party affiliation or lack of it, and all

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

1 candidates for public office who qualify for a primary or general election may be  
2 voted on without regard to the candidate's party affiliation or lack of it.

3 (2) In the election of persons to congress, the following shall apply:

4 (a) In primary elections, recognized political parties shall make all  
5 nominations of candidates by direct primary elections held under the provisions of  
6 this Chapter. In primary elections, each qualified voter may vote only on the  
7 candidates for public office who are affiliated with the same political party with  
8 which the voter is affiliated. In primary elections, each qualified voter who is not  
9 affiliated with a recognized political party may choose to vote in one recognized  
10 political party's primary elections, except as otherwise provided by R.S. 18:1275.1.

11 (b) In general elections, each qualified voter of this state may vote for  
12 candidates for public office without regard to the voter's party affiliation or lack  
13 thereof, and all candidates for public office who qualify for a general election may  
14 be voted on without regard to the candidates' party affiliation or lack thereof.

15 \* \* \*

16 §402. Dates of primary and general elections

17 \* \* \*

18 B. Congressional elections. Elections for members of congress and officers  
19 elected at the same time as members of congress shall be held every two years,  
20 beginning in 1982.

21 (1) Primary elections for members of congress and officers elected at the  
22 same time as members of congress shall be held on the first ~~Tuesday after the first~~  
23 ~~Monday in November~~ Saturday in October of an election year.

24 (2) General elections for members of congress and officers elected at the  
25 same time as members of congress shall be held on the ~~fifth Saturday after the first~~  
26 ~~Tuesday after the first Monday in November~~ of an election year.

27 \* \* \*

28 E. Special elections to fill newly created office or vacancy in office. An  
29 election to fill a newly created office or vacancy in an existing office, except the

1 office of representative in congress, shall be held on the dates fixed by the  
2 appropriate authority in the proclamation ordering a special election as follows:

3 (1) A special primary election shall be held on the first of the following days  
4 that is after the date on which the proclamation calling the special primary election  
5 was issued, provided that the proclamation was issued at least four weeks prior to the  
6 opening of the qualifying period for the special primary election:

7 \* \* \*

8 (b) The first ~~Tuesday after the first Monday in November~~ Saturday in  
9 October, when the special general election is held on the ~~fifth Saturday after the first~~  
10 ~~Tuesday after the first Monday in November.~~

11 \* \* \*

12 (2) A special general election shall be held on one of the following days:

13 \* \* \*

14 (b) The ~~fifth Saturday after the first Tuesday after the first Monday in~~  
15 ~~November of even-numbered years.~~

16 \* \* \*

17 F. Bond, tax, or other elections. Every bond, tax, or other election at which  
18 a proposition or question is to be submitted to the voters shall be held only on one  
19 of the following dates:

20 \* \* \*

21 (2)(a) The first ~~Tuesday after the first Monday in November~~ Saturday in  
22 October or the ~~fifth Saturday after the first Tuesday after the first Monday in~~  
23 ~~November of even-numbered years.~~

24 (b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,  
25 the ~~fifth Saturday after the first Tuesday after the first Monday in November~~ shall  
26 not be applicable in a parish containing a municipality with a population of three  
27 hundred thousand or more for an election relative to a parcel fee imposed within a  
28 security or neighborhood improvement district. For purposes of this Subparagraph,  
29 "security or neighborhood improvement district" means a special district one of the

1 primary purposes of which is aiding in crime prevention and adding to the security  
2 of district residents by providing for an increased presence of law enforcement  
3 personnel in the district or otherwise promoting and encouraging security in the  
4 district.

5 \* \* \*

6 §467. Opening of qualifying period

7 The qualifying period for candidates in a primary election shall open:

8 \* \* \*

9 (2) For candidates in a congressional primary election and those in any  
10 special primary election to be held at the same time, on the ~~third~~ first Wednesday in  
11 July of the year of the election.

12 \* \* \*

13 §481. Candidates who qualify for a general election

14 ~~The~~ Except for candidates for United States senator or representative in  
15 congress, the candidates who qualify for each office remaining to be filled in the  
16 general election are those who received the two highest numbers of votes, the four  
17 highest number of votes, and so on among those not elected in the primary election,  
18 until the maximum number of candidates for each office on the general election  
19 ballot is reached.

20 \* \* \*

21 §511. Election of candidates in a primary election; exception, congressional  
22 candidates

23 A. Majority vote. A candidate other than a candidate for United States  
24 senator or representative in congress who receives a majority of the votes cast for an  
25 office in a primary election is elected. If there are two or more offices of the same  
26 character to be filled, the number of votes necessary to constitute a majority shall be  
27 greater than the result obtained by dividing the total votes cast for all of the  
28 candidates by the number of offices to be filled and dividing the result so obtained  
29 by two. If more candidates receive a majority than there are offices to be filled,

1 those of such candidates receiving the highest total of votes shall be elected, to the  
2 number required to fill all of the offices. Any votes received by a withdrawn  
3 candidate or a deceased candidate shall be void and shall not be counted for any  
4 purpose whatsoever.

5 B. Election of unopposed candidates for public office. If, after the close of  
6 the qualifying period for candidates in a primary election, other than a primary  
7 election for United States senator or representative in congress, the number of  
8 candidates for a public office does not exceed the number of persons to be elected  
9 to the office, the candidates for that office, or those remaining after the withdrawal  
10 of one or more candidates, are declared elected by the people, and their names shall  
11 not appear on the ballot in either the primary or the general election.

12 \* \* \*

13 §1272. United States senators; representatives in congress; time of electing

14 A. All primary and general elections for representatives in congress shall be  
15 ~~held on the fifth Saturday after the first Tuesday after the first Monday in November~~  
16 ~~in even-numbered years. The primary election shall be held on the first Tuesday~~  
17 ~~after the first Monday in November of an election year~~ as provided in R.S.  
18 18:402(B).

19 \* \* \*

20 §1275.1. Purpose and nature of congressional primary and general elections

21 A. Nature of primary elections. All recognized political parties shall make  
22 all nominations of candidates for United States senator or representative in congress  
23 by direct primary elections held under the provisions of this Part and applicable  
24 provisions of this Code. In congressional primary elections, each qualified voter of  
25 this state may vote only on the candidates for public office who are affiliated with  
26 the same political party with which the voter is affiliated. In congressional primary  
27 elections, each qualified voter of this state who is not affiliated with a recognized  
28 political party may choose to vote in a recognized political party's primary elections,  
29 unless the state central committee of such political party in its rules and regulations

1 prohibits unaffiliated voters from participating in its primary elections. If a  
2 recognized political party prohibits unaffiliated voters from participating in its  
3 primary elections, the state central committee of such party shall give written notice  
4 to the secretary of state of such prohibition, including a copy of the rules and  
5 regulations containing such prohibition, no later than January first of the year in  
6 which regularly scheduled congressional elections are to be held, or no later than the  
7 forty-sixth day prior to a special primary election. The notice, once filed with the  
8 secretary of state, shall be effective until the recognized political party notifies the  
9 secretary of state in writing of a change. Any such notice of a change shall be filed  
10 with the secretary of state no later than January first of the year in which regularly  
11 scheduled congressional elections are to be held, or no later than the forty-sixth day  
12 prior to a special primary election. Should more than one recognized political party  
13 not prohibit unaffiliated voters to participate in the primary, the participating voter  
14 shall select only one party ballot to vote in the primary election.

15 B. Nature of congressional general elections. Each qualified voter of this  
16 state may vote on candidates for United States senator and representative in congress  
17 in general elections without regard to the voter's party affiliation or lack thereof, and  
18 all candidates for such offices who qualify for a general election may be voted on  
19 without regard to the candidates' party affiliation or lack thereof.

20 C. The provisions of this Code shall govern any matter related to  
21 congressional elections not otherwise specifically provided for in this Part.

22 §1275.3. Manner of qualifying for the primary election

23 A. A person who desires to become a candidate in the primary election shall  
24 qualify as provided in Part IV of Chapter 5 of this Code except as otherwise provided  
25 in this Section.

26 B. A person who desires to become a candidate in the primary election must  
27 be affiliated with a recognized political party. A person may qualify as a candidate  
28 only in the primary election of the party with which he is affiliated as shown on his  
29 voter registration.

1           C. Candidates shall qualify for the primary election with the secretary of  
2           state or a person in his office designated to receive qualifying papers.

3           D.(1) A notice of candidacy shall be in writing and shall state the candidate's  
4           name; the office he seeks; the address of his domicile; the parish, ward, and precinct  
5           where he is registered to vote; and the political party with which he is registered as  
6           being affiliated.

7           (2) A notice of candidacy, accompanied either by the qualifying fee or by a  
8           nominating petition, is filed timely only if received by the secretary of state during  
9           the qualifying period for candidates in the primary election.

10          E.(1) A nominating petition shall be filed with the official with whom the  
11          candidate qualifies and shall accompany the notice of candidacy.

12          (2) A person may only be nominated as a candidate in the primary election  
13          by persons within the same political party who are registered to vote on the office he  
14          seeks and who sign a nominating petition for him no more than one hundred twenty  
15          days before the qualifying period opens for candidates in the primary election. In  
16          addition to his signature, each voter who signs a nominating petition shall date his  
17          signature and shall provide the ward and precinct in which he is registered to vote;  
18          his residence address, including the municipal number, the apartment number, the  
19          rural route and box number, or any other physical description that will identify his  
20          actual place of residence; and his political party affiliation. Once a voter has signed  
21          a nominating petition, he may not withdraw the nomination. The secretary of state  
22          shall prepare forms which may be used by any person who seeks to be nominated by  
23          nominating petition as a candidate for United States senator or representative in  
24          congress. The secretary of state shall furnish copies of the forms to each clerk of  
25          court, and the forms shall be available, upon request, at the office of the secretary of  
26          state or at the office of the clerk of court. However, nothing in this Subsection shall  
27          be construed to require nominating petitions to be filed only on forms prepared by  
28          the secretary of state.

1           (3) The registrar for each parish shall endorse upon the nominating petitions,  
2           whether original or supplemental, the date and time of submission and shall promptly  
3           certify the nominating petitions, in the order received, by determining and certifying  
4           on each nominating petition which of the signers who provided a residence address  
5           in the parish signed the nominating petition timely, are registered with the same  
6           political party as the candidate, and are entitled to vote on the office the candidate  
7           seeks. A supplemental nominating petition shall be certified in the order in which  
8           it is received, without regard to the time when the original nominating petition for  
9           that candidate was submitted. A registrar may stop certifying the signatures on a  
10           nominating petition when the total number of the signers he has certified as having  
11           signed the petition timely, being registered with the same political party as the  
12           candidate, and being entitled to vote on the office the candidate seeks equals one  
13           hundred fifteen percent of the number of qualified voters required to nominate the  
14           candidate for the office he seeks. A registrar's certification shall be conclusive as to  
15           the number of qualified voters who timely signed a nominating petition, and  
16           evidence to the contrary shall not be admitted in an action objecting to the candidacy  
17           of the candidate who filed the nominating petition.

18           §1275.5. Reopening of qualifying period; effect

19           A. When a person who qualified as a candidate in the primary election for  
20           the office of senator or representative in congress dies after the close of the  
21           qualifying period and before the time for closing the polls on the day of the primary  
22           election, the qualifying period for candidates in the primary election for that office  
23           shall reopen for the party of the candidate who died on the day after the death and  
24           shall close at 5:00 p.m. on the third day after the death or, if that day is a legal  
25           holiday, at 5:00 p.m. on the next day which is not a legal holiday. The name of the  
26           deceased candidate shall not be printed on the primary election ballot. If the primary  
27           election ballot was printed with the deceased candidate's name on it, any votes  
28           received by the deceased candidate shall be void and shall not be counted for any  
29           purpose whatsoever.

1           B. When, at the close of the qualifying period, no candidate has qualified for  
2           an office, the qualifying period shall be reopened, but only for the office for which  
3           no candidates qualified, on the first Wednesday after the close of the qualifying  
4           period and shall close at 5:00 p.m. on the Friday thereafter or, if that day is a legal  
5           holiday, at 5:00 p.m. on the next day which is not a legal holiday.

6           C. Whenever the qualifying period is reopened as required by Subsections  
7           A or B of this Section, the secretary of state shall cause notice of the reopening,  
8           listing the dates and times the period shall run, to be published in the official journal  
9           of the state.

10           D.(1) If the qualifying period for candidates reopens for any recognized  
11           political party within thirty days before a primary election, all the votes cast in the  
12           primary election for that public office shall be void, unless the qualifying period for  
13           the office reopened and closed without additional candidates qualifying for the  
14           office. If additional candidates qualify for the office and the votes for the primary  
15           are void for that reason, the secretary of state shall immediately publish in the  
16           official journal of the state a notice to the electorate that the election for that office  
17           has been voided because new candidates qualified. Such notice shall include the  
18           dates for the rescheduled primary and general elections.

19           (2) If all the votes cast in a primary election for a public office of United  
20           States Senator or Representative in Congress are void because of the death of a  
21           candidate, the primary election for the office shall be held on the date of the general  
22           election, and the general election for the office shall be held on the fifth Saturday  
23           after the primary election.

24           §1275.7. Selection of nominee by state central committee

25           A. The state central committee of a recognized political party may provide  
26           for the selection of a nominee in either of the following situations:

27           (1) When a candidate withdraws after the close of the qualifying period and  
28           before the time for closing the polls on the day of the primary election, thereby  
29           leaving the recognized political party with no nominee.

1           (2) When a candidate dies before the time for closing the polls on the day of  
2           the primary election, thereby leaving the recognized political party with no nominee.

3           B. The state central committee shall provide a notarized notice of the  
4           selection of such nominee to the secretary of state, which notice shall be delivered  
5           to the secretary of state within ten days of the death or withdrawal or by 4:30 p.m.  
6           on the third calendar day after the primary election, whichever occurs first.

7           §1275.9. Candidates who qualify for a general election

8           A. All nominations by recognized political parties for the general election  
9           shall be in accordance with the provisions relative to primary elections.

10          B. If after the close of the qualifying period for candidates in a primary  
11          election only one candidate qualifies for nomination by a recognized political party  
12          for an office or only one candidate for nomination by a recognized political party for  
13          an office remains after the withdrawal of one or more candidates prior to the time for  
14          closing the polls on the day of the primary election, such candidate shall be declared  
15          the nominee of the party and qualify for the general election. His name shall not  
16          appear on the ballot in the primary election, but shall be on the ballot for the general  
17          election. If the primary election ballot is printed with the name of a candidate who  
18          withdrew on it, any votes received by a candidate who withdrew shall be void and  
19          shall not be counted for any purpose whatsoever.

20          C. The candidate from a recognized political party who receives the highest  
21          number of votes cast in the primary shall be the party nominee and qualify for the  
22          general election.

23          D. A nominee selected in accordance with R.S. 18:1275.7 shall qualify for  
24          the general election.

25          E. There shall be no second primary. In the case of a tie vote in the primary,  
26          the party's nominee for the general election shall be selected by a public drawing of  
27          lots conducted by the secretary of state.

1        §1275.11. Number of candidates who may qualify for a general election

2                The number of candidates for an office who may qualify for the general  
3        election by party nomination is one candidate from each recognized political party.

4        §1275.13. Candidates not affiliated with a recognized political party; qualifying for  
5        the general election

6                A. Any person desiring to become a candidate in a general election who is  
7        not registered as being affiliated with a recognized political party shall file his notice  
8        of candidacy which shall be accompanied by either a ballot access petition or by the  
9        qualifying fee required for state candidates as provided in R.S. 18:464. The number  
10       of signatures required on a ballot access petition shall be the same as the number  
11       required for candidates seeking nomination by a nominating petition for the same  
12       office in the primary election.

13               B. The ballot access petition shall comply with all of the requirements of this  
14       Code relative to nominating petitions except as otherwise specifically provided for  
15       in this Part. No person affiliated with a recognized political party shall be eligible  
16       to sign a ballot access petition.

17               C. The notice of candidacy shall comply with all of the requirements of this  
18       Code relative to notice of candidacy except as otherwise specifically provided for in  
19       this Part.

20               D. The time of qualifying and the official with whom a candidate qualifies  
21       shall be in accordance with all of the provisions of this Code relative to qualifying  
22       for a primary election except as otherwise specifically provided for in this Part.

23       §1275.15. Objecting to candidacy of person not affiliated with a recognized political  
24       party

25               The provisions of this Code relative to objections to candidacy for candidates  
26       in a primary election shall apply to an action objecting to the candidacy of a person  
27       who qualified pursuant to R.S. 18:1275.13 in the same manner as if the person had  
28       qualified for the primary election.

1        §1275.17. Unopposed candidate; election

2                If, after the close of the qualifying period for candidates for the public office  
3        of United States senator or representative in congress and, if applicable, after the  
4        expiration of the time period for a recognized political party to select a nominee  
5        pursuant to R.S. 18:1275.7 only one candidate qualifies for the primary election or  
6        general election or only one candidate remains after the withdrawal of one or more  
7        candidates, such candidate shall be declared elected by the people at the close of the  
8        polls on the day of the general election, and his name shall not appear on the ballot  
9        in the primary election, if applicable, or the general election.

10       §1275.19. Qualifications of voters

11               All persons who have registered to vote in this state prior to the time the  
12       registration records are closed as required in R.S. 18:135 may vote in congressional  
13       primary elections except as otherwise provided in R.S. 18:1275.1.

14       §1275.21. Prerequisites to voting

15               The provisions of R.S. 18:562 and 1309 shall be applicable to all  
16       congressional primary elections and congressional general elections. Additionally,  
17       any person who desires to vote in any primary election shall also give his party  
18       affiliation, if any, to a commissioner, who shall announce the applicant's name,  
19       address, and party affiliation, if any, to the persons at the polling place.

20       §1275.23. Ballots

21               A. Preparation. The secretary of state shall prepare and certify the absentee  
22       ballots and the ballots to be used on the voting machines in the primary and general  
23       elections in the manner provided in R.S. 18:551 except as provided in this Section.

24               B. Names and numbers of candidates. The names of the candidates in any  
25       primary or general election shall be printed on the ballot as follows:

26               (1) In any primary election only the names of candidates who qualified for  
27       election and were not subsequently disqualified by a judgment rendered in an action  
28       objecting to candidacy or who were not unopposed shall be printed on the ballot.

29       The name of each candidate shall be printed on the ballot in the form designated by

1 the candidate in his notice of candidacy on file with the secretary of state. The  
2 parties shall be arranged alphabetically, and under such party affiliation, the names  
3 of the candidates for each office shall be listed alphabetically by surname within  
4 each party and printed below the title of the office and below the respective party  
5 designation. The names of the candidates shall be numbered from first to last. Once  
6 the secretary of state has assigned numbers to the candidates on the primary election  
7 ballot, the numbers shall not be changed. If the qualifying period reopens because  
8 of the death of a candidate, additional candidates who qualify for the primary  
9 election shall be given the numbers following the number assigned to the last  
10 candidate on the ballot. If two or more candidates have the same surname, the word  
11 "Incumbent" shall be printed after the name of each candidate having the same  
12 surname who is an incumbent and the residence address shall be printed after the  
13 name of each candidate having the same surname who is not an incumbent.

14 (2) In a general election, only the names of the candidates who qualified for  
15 election and who were not subsequently disqualified by a judgment rendered in an  
16 action objecting to candidacy shall be printed on the ballot, and the names shall be  
17 printed in the same form as they were printed on the ballot for the primary election.  
18 The names of candidates who qualified pursuant to R.S. 18:1275.13 shall be as they  
19 appear on the notice of candidacy. The names of the candidates for each office shall  
20 be arranged alphabetically by surname, and shall be listed below the title of the  
21 office. The political party designation of a candidate shall be listed on the ballot as  
22 provided in R.S. 18:551(D). The names of the candidates shall be given the same  
23 number assigned to them on the primary election ballot. Additional candidates who  
24 qualify who were not on the primary election ballot shall be given the numbers  
25 following the number assigned to the last candidate on the ballot for the primary  
26 election.

27

\* \* \*



such party primary elections, all qualified voters of this state may vote only on the candidates for public office who are affiliated with the same political party with which the voter is affiliated. Provides for qualified voters not affiliated with a recognized political party to choose to vote in one recognized political party's primary election. Further provides that in congressional primary elections each qualified voter who is not affiliated with a recognized political party may choose to vote in a recognized political party's primary elections, unless the state central committee of such political party in its rules and regulations prohibits unaffiliated voters from participating in its primary elections. Provides that if a recognized political party prohibits unaffiliated voters from participating in its primary election, the state central committee of such party shall give written notice to the secretary of state of such prohibition, including a copy of the rules and regulations containing such prohibition, no later than Jan. first of the year in which regularly scheduled congressional elections are to held and no later than 46 days prior to a special primary election.

Proposed law provides that all qualified voters may vote on candidates for public office in general elections without regard to the voter's party affiliation or lack thereof, and all candidates for public office who qualify for a general election may be voted on without regard to the candidate's party affiliation or lack thereof. (Note: As provided in present law (R.S. 18:512) for a general election, the candidate with the most votes is elected.)

- (2) Present law provides that the congressional primary election for members of congress and officers elected at the same time as members of congress shall be on the first Tuesday after the first Monday in November and that the congressional general election shall be held on the fifth Saturday after the first Tuesday after the first Monday in November of each even- numbered year. Proposed law provides that the congressional primary election shall be on the first Saturday in October and the congressional general election shall be the first Tuesday after the first Monday in November of each even-numbered year and makes the same change relative to available dates for special elections and bond, tax, or other elections.
- (3) Present law provides that the qualifying period for candidates in a congressional primary election and any special primary election held at the same time opens on the third Wednesday in July of the year of the election. Proposed law changes the opening of the qualifying period to the first Wednesday in July.
- (4) Proposed law provides that a candidate in a congressional primary election shall be affiliated with a recognized political party and may qualify as a candidate only in the party primary of the party with which he is affiliated as shown on his voter registration.
- (5) Proposed law provides that the manner of qualifying for the primary election is the same as provided in present law except candidates shall qualify for the primary election with the secretary of state or a person in his office designated to receive qualifying papers and the notice of candidacy shall be in writing and shall state the candidate's name, the office he seeks, the address of his domicile, the parish, ward, and precinct where he is registered to vote, and the political party with which he is registered as being affiliated. Provides that the notice of candidacy shall be accompanied either by the qualifying fee or by a nominating petition and is filed timely only if received by the secretary of state during the qualifying period for candidates in the primary election. Requires designation of party affiliation for signers of a nominating petition for a candidate and provides that only persons in the same party as the candidate are eligible to sign the nominating petition. Provides procedures for the form and certifications of the petitions.

- (6) Proposed law provides that when qualifying is reopened due to the death of a congressional candidate in a primary election, the qualifying shall be open only for the party of the candidate who died. Specifies the time for such reopening. Further provides for rescheduling of the primary and general election in such cases.
- (7) Proposed law provides for the nomination and election of unopposed candidates.
- (8) Proposed law provides that in the case of a tie vote in the party primary the party's nominee for the general election shall be selected by public drawing of lots conducted by the secretary of state.
- (9) Proposed law provides that if one of the congressional candidates dies or withdraws before the close of polls on the day of the primary leaving no nominee for the party, the state central committee may provide for the selection of a nominee of their party and shall notify the secretary of state within 10 days of the death or withdrawal or by 4:30 p.m. on the third calendar day after the primary, whichever occurs first.
- (10) Proposed law provides that a person who is not affiliated with a recognized political party may become a candidate in a general election by filing his notice of candidacy which shall be accompanied by either a ballot access petition or the qualifying fee with the same number of signatures required on a nominating petition for candidates in the primary, in the same manner and during the same time period as is provided for candidates in the primary who are affiliated with a recognized political party. Further provides that a person affiliated with a recognized political party shall not be eligible to sign a ballot access petition.
- (11) Proposed law provides that present law relative to objections to candidacy applies to congressional candidates unaffiliated with a recognized political party who qualify for the general election in the same manner as if the candidate qualified for the primary election.
- (12) Provides that the secretary of state shall prepare the ballots as provided in present law (R.S. 18:551) except that for the primary election ballot the parties shall be arranged alphabetically, and under such party affiliation, the names of the candidates for each office shall be listed alphabetically by surname within each party and printed below the title of the office and below the respective party designation and the names of the candidates shall be numbered from first to last. For the general election, provides that additional candidates who qualify and who were not on the primary election ballot shall be given the numbers following the number assigned to the last candidate on the ballot for the primary election.
- (13) Provides that the prerequisites to voting in the elections are the same as provided in present law (R.S. 18:562 and 1309), except that a voter shall also give his party affiliation, if any, to the commissioner who shall announce the applicant's name, address, and party affiliation, if any to the persons at the polling place.
- (14) Relative to voting machines, proposed law specifies that they be constructed and equipped, when used in a congressional primary election or primary election at which members of a political party committee are to be voted on, to allow election officials to lock out all candidate counters except those of the party with which the voter is affiliated or those of the party for which a voter unaffiliated with a recognized political party may vote in accordance with proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 18:401, 402(B), (E)(1)(b) and (2)(b) and (F)(2), 467(2), 481, 511(A) and (B), 1272(A), and 1355(6); Adds R.S. 18:1275.1-1275.23)