

RÉSUMÉ DIGEST

ACT 128 (HB 110)

2020 Regular Session

Gregory Miller

Existing law provides for qualifying for elective office and the conducting of elections including procedures for objecting to candidacy and contesting an election. Provides that by filing a notice of candidacy, a candidate appoints the clerk of court for each parish in which he is to be voted on as his agent for service of process in any action objecting to his candidacy or contesting his election.

Existing law provides that if service of process is made on the appointed agent in an action objecting to candidacy or contesting an election, a diligent effort shall be made to make personal service on the defendant at his domiciliary address.

Existing law requires the appointed agent to notify the defendant of the objection or contest and provide the defendant a copy of the citation.

Prior law required that such notification be given by certified mail, or by commercial courier, or when the person to be served was located outside of this state, to the defendant's domiciliary address or to a temporary residence.

New law requires that such notification be given by telephone and a copy of the citation be sent by electronic mail. Requires that the citation be mailed to the defendant if he did not list an electronic mail address on his notice of candidacy.

Prior law required that proof of mailing be filed in the proceedings. New law repeals prior law.

Effective Feb. 1, 2021.

(Amends R.S. 18:1408)