SLS 21RS-336 **ORIGINAL**

2021 Regular Session

SENATE BILL NO. 220

BY SENATOR CLOUD

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

LEGISLATIVE AUDITOR. Provides relative to the legislative auditor. (8/1/21)

AN ACT

2	To enact R.S. 24:513(D)(7), relative to the legislative auditor; to provide relative to
3	examinations, audits, and reviews of elections; to provide for the submission and
4	presentation of reports to certain legislative committees; to provides for the retention
5	of election records subject to examination by the legislative auditor; to provide for
6	terms, conditions, and procedures; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 24:513(D)(7) is hereby enacted to read as follows:
9	§513. Powers and duties of legislative auditor; audit reports as public records;
10	assistance and opinions of attorney general; frequency of audits;
11	subpoena power
12	* * *
13	D. In addition, the legislative auditor shall perform the following duties and
14	functions:
15	* * *
16	(7)(a) The legislative auditor shall examine, audit, or review local, state,
17	and federal elections that are held pursuant to the provisions of the Louisiana

Election Code, R.S. 18:1 et seq., and shall prescribe the scope, frequency, and

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year.

2	methodology of the examinations in accordance with his authority provided in
3	R.S. 24:511 et seq. The scope of the examinations may include an overview of
4	the election processes and controls, election best practices, fraud prevention,
5	ballot security, and signature matching.
6	(b) For the purposes of this Paragraph, the legislative auditor may
7	utilize a performance-based or risk-based approach in accordance with
8	appropriate auditing standards for the examinations of elections.
9	(c) Notwithstanding any provision of law to the contrary, all records and
10	papers, including but not limited to mail ballot applications, mail ballots, voting
11	rolls, and paper and electronic voting records, that come into an election
12	official's possession relating to the qualifying of candidates, the selection of
13	commissioners, alternate commissioners, and watchers, and the conduct or
14	results of a primary or general election, shall be retained for a period of not less
15	than five years. For the purposes of this Subparagraph, an "election official"
16	shall have the same meaning as provided in R.S. 18:1466.
17	(d) The legislative auditor shall submit an annual report to the Senate
18	Committee on Senate and Governmental Affairs and the House Committee on
19	House and Governmental Affairs on or before May first of each year. The
20	report shall contain an overview of the election processes and controls and a
21	summary of the election reports completed by the legislative auditor during the
22	previous calendar year along with copies of those reports. The legislative

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auditor shall present the annual report to the Senate Committee on Senate and

Governmental Affairs and the House Committee on House and Governmental

Affairs, meeting separately or jointly, not later than May thirty-first of each

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ridge.

DIGEST 2021 Regular Session

Cloud

SB 220 Original

<u>Present law</u> provides relative to the powers, functions, and duties of the legislative auditor.

<u>Proposed law</u> requires the legislative auditor to examine, audit, or review local, state, and federal elections that are held pursuant to the La. Election Code.

<u>Proposed law</u> allows the auditor to set the scope, frequency, and methodology of the examinations and provides that the auditor may utilize a performance-based or risk-based approach for the examinations of elections.

<u>Proposed law</u> provides for the retention of certain records, including records for the conduct or results of a primary or general election, for a period of not less than five years.

<u>Proposed law</u> requires the legislative auditor to submit an annual report to the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs on or before May 1st of each year and to present the report to those committees, meeting separately or jointly, not later than May 31st of each year.

Effective August 1, 2021.

(Adds R.S. 24:513(D)(7))