

2023 Regular Session

HOUSE BILL NO. 646 (Substitute for House Bill No. 159 by Representative Farnum)

BY REPRESENTATIVE FARNUM

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

VOTING/REGISTRATION: Provides for the annual canvass of registered voters

1 AN ACT

2 To amend and reenact R.S. 18:192, 193(H), and 198(A), to enact R.S. 18:191.1, and to
3 repeal R.S. 18:193(B) and (I), relative to the annual canvass of persons registered to
4 vote; to provide for criteria for the annual canvass; to provide for the duties of the
5 Department of State; to provide relative to the address confirmation notice; to
6 provide relative to the inactive list of voters; to provide for updating voter
7 registration information; to provide for an effective date; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 18:192, 193(H), and 198(A) are hereby amended and reenacted and
11 R.S. 18:191.1 is hereby enacted to read as follows:

12 §191.1. Address confirmation notice

13 For the purposes of this Part, the Department of State shall develop an
14 address confirmation notice which shall include a postage prepaid and preaddressed
15 return notice sent by forwardable mail and shall inform the registrant about his
16 voting rights under the address confirmation process. The address confirmation
17 notice shall be submitted by the Department of State to the House Committee on
18 House and Governmental Affairs and the Senate Committee on Senate and
19 Governmental Affairs for review.

1 §192. Annual canvass; costs

2 A.(1)(a) No later than June thirtieth ~~in each parish~~, the registrar of voters of
3 each parish in conjunction with the Department of State shall annually canvass the
4 names of the registrants in all precincts in the parish. Failure of the registrar to
5 conduct an annual canvass as provided in this ~~Paragraph~~ Subsection shall constitute
6 willful misconduct relating to his official duty for the purposes of R.S. 18:53. The
7 Department of State shall use the United States Postal Service or its licensee to
8 verify the names and addresses of the registrants in all precincts in the state. A
9 verification by the United States Postal Service or its licensee shall constitute a valid
10 canvass of the registered voter.

11 ~~(b)~~ (2) In conducting the verification, if the United States Postal Service or
12 its licensee provides a corrected address, the Department of State shall furnish the
13 corrected address to the appropriate registrar of voters. Upon receiving a corrected
14 address inside the parish, either the Department of State ~~may make the change~~ or the
15 registrar of voters shall update the voter's address on the statewide registration
16 system and ~~the registrar of voters may make the change on his records~~. If a change
17 ~~is made, the registrar shall~~ mail a new voter identification information card to the
18 voter using the corrected address provided and an address confirmation ~~card~~ notice
19 as provided in R.S. 18:193. ~~In the event~~ If the new voter identification information
20 card using the corrected address is returned to the registrar and the voter has failed
21 to return the address confirmation ~~card~~ notice, the registrar shall consider the address
22 not corrected. His records should be changed to reflect the prior address on file for
23 that voter. If the corrected address is outside the parish, the registrar of voters shall
24 not make the change on his records and shall send an address confirmation notice
25 ~~card~~ as provided in R.S. 18:193.

26 ~~(2)~~ ~~For a registrant whose address was not verified or whose corrected~~
27 ~~address is outside the parish, the registrar shall send an address confirmation card as~~
28 ~~set forth in R.S. 18:193.~~

1 B: ~~(3)~~ The parish governing authority shall provide to the registrar of voters
2 the funding necessary for the mailing of new voter ~~identification~~ information cards
3 in the conduct of the canvass.

4 B.(1) No later than June thirtieth, the Department of State shall conduct an
5 annual canvass as provided in this Subsection. Using information available in the
6 state voter registration computer system, the secretary of state shall identify
7 registrants who meet all the following criteria:

8 (a) The registrant's name did not appear with a corrected address provided
9 by the United States Postal Service or its licensee pursuant to Subsection A of this
10 Section.

11 (b) The registrant failed to engage in any of the following activities in the
12 past ten years: vote in an election; make an application for voter registration; request
13 an absentee ballot; validly sign a petition submitted to the registrar of voters for
14 certification pursuant to law; change a name, address, or party affiliation or
15 nonaffiliation; make any other change in registration; or participate in the nursing
16 home program.

17 (2) The Department of State shall send an address confirmation notice to
18 each identified registrant and transfer the registrant to the inactive list of voters.

19 ~~C. For the purposes of this Section, "residence address" shall mean the~~
20 ~~registrant's place of residence except in the case of a registrant to whom the United~~
21 ~~States Postal Service will not deliver mail to his place of residence, it shall mean the~~
22 ~~registrant's mailing address.~~

23 §193. Challenge and cancellation of registration; notice; procedures

24 * * *

25 H. If the registrar determines that a voter's registration has been cancelled
26 through error of the registrar or the Department of State, the registrar shall reinstate
27 the voter's registration as though the cancellation had never occurred and shall notify
28 the registrant of the reinstatement.

29 * * *

1 §198. Change of residence or change in address; inquiry by registrar; change of
2 records

3 A. Whenever a registrar has reason to believe that a registrant has changed
4 his residence within the parish or that a change has occurred in the registrant's
5 mailing address within the parish, the registrar shall mail ~~the~~ an address confirmation
6 ~~card~~ notice to the registrant as provided in R.S. 18:193 ~~as provided in R.S. 18:193(B)~~
7 ~~to the registrant~~, but shall not place the voter on the inactive list of voters.

8 * * *

9 Section 2. R.S. 18:193(B) and (I) are hereby repealed in their entirety.

10 Section 3. In the case of any conflict between the provisions of this Act and the
11 provisions of any other Act of the 2023 Regular Session of the Legislature, the provisions
12 of this Act shall supercede and control regardless of the order of passage.

13 Section 4. This Act shall become effective on March 31, 2024.

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 646 Engrossed

2023 Regular Session

Farnum

Abstract: Requires the Dept. of State to conduct a annual canvass of registered voters.

Present law requires each registrar of voters to conduct an annual canvass of registered voters no later than June 30th in order to update voter registration records. Elements of the annual canvass include:

- (1) A requirement that the Dept. of State use the U.S. Postal Service or its licensee to verify names and addresses of registered voters.
- (2) A requirement that the registrar of voters send an address confirmation card to each registrant whose address is not verified or whose corrected address is outside of the parish and place the names of such registrants on the inactive list of voters.

Proposed law requires that either the registrar of voters or the Dept. of State send address confirmation notices.

Proposed law further requires the Dept. of State to conduct an annual canvass no later than June 30th in order to update voter registration records. Elements of the supplemental include:

- (1) A requirement that the secretary of state identify registered voters for whom there is not a corrected address and who have not participated in an election, updated their registration information, or taken other specified actions in the previous 10 years.

- (2) A requirement that the secretary of state send such persons an address confirmation notice and place the names of such registrants on the inactive list of voters.

Effective March 31, 2024.

(Amends R.S. 18:192, 193(H), and 198(A); Adds R.S. 18:191.1; Repeals R.S. 18:193(B) and (I))