

2024 Regular Session

SENATE BILL NO. 261

BY SENATOR HODGES

ELECTION CODE. Provides for additional poll watchers at polling places for elections.
(8/1/24)

1 AN ACT

2 To amend and reenact R.S. 18:435(A)(4) and (B)(2) and to enact R.S. 18:435(A)(1)(c) and

3 (5) and (B)(1)(c) and 1309(N), relative to elections; to provide for the appointment

4 of poll watchers; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 18:435(A)(4) and (B)(2) are hereby amended and reenacted and R.S.

7 18:435(A)(1)(c) and (5) and (B)(1)(c) and 1309(N) are hereby enacted to read as follows:

8 §435. Watchers; appointment and commission

9 A.(1) * * *

10 **(c) A state central committee of a political party recognized pursuant to**

11 **R.S. 18:441, and having at least twenty-five percent of the registered voters in**

12 **the state registered as being affiliated with the political party, is entitled to have**

13 **one watcher at every precinct on election day where a candidate affiliated with**

14 **the political party is on the ballot. The chairman of the state central committee**

15 **shall sign and file one list of watchers on a form provided by the secretary of**

16 **state or on a form which contains the same information as required by the form**

17 **provided by the secretary of state.**

1 * * *

2 (4)(a) The state central committee of a recognized political party having
3 at least twenty-five percent of the registered voters in the state registered as
4 being affiliated with the political party is entitled to have political party super
5 watchers in each parish in which a candidate affiliated with the political party
6 is on the ballot. The designation of political party super watchers shall be made
7 in accordance with this Section and as provided in Subparagraph (b) of this
8 Paragraph.

9 (b)(i) In a parish with fewer than fifty thousand registered voters, the
10 state central committee of the recognized political party may designate one
11 political party super watcher.

12 (ii) In a parish with fifty thousand or more but fewer than one hundred
13 thousand registered voters, the state central committee of the recognized
14 political party may designate two political party super watchers.

15 (iii) In a parish with one hundred thousand or more but fewer than one
16 hundred-fifty thousand registered voters, the state central committee of the
17 recognized political party may designate three political party super watchers.

18 (iv) In a parish with one hundred-fifty thousand or more but fewer than
19 two hundred thousand registered voters, the state central committee of the
20 recognized political party may designate four political party super watchers.

21 (v) In a parish with two hundred thousand or more registered voters, the
22 state central committee of the recognized political party may designate five
23 political party super watchers.

24 (c) Each political party super watcher shall have the qualifications,
25 powers, and duties of watchers provided for by R.S. 18:427 and shall be
26 admitted as a watcher in every precinct in the designated parish where a
27 candidate affiliated with his political party is on the ballot, except that not more
28 than one political party super watcher may serve at a single precinct at the same
29 time.

1 **(d) The chairman of the state central committee of the political party**
2 **shall sign and be responsible for filing the list of political party super watchers.**

3 ~~(4)~~**(5)** The commissioners shall regulate the number of watchers inside the
4 polling place as provided in R.S. 18:427.

5 B.(1) * * *

6 **(c) A list of political party super watchers submitted by a party for the**
7 **primary election may be used for the general election only if the chairman of the**
8 **state central committee of the party notifies the clerk of court in writing by 4:30**
9 **p.m. on the tenth business day before the general election that he wants to use**
10 **the same list of political party super watchers.**

11 (2) Except for a candidate, **state central committee of a recognized political**
12 **party filing a list of political party super watchers,** or recognized political party
13 filing for a slate of candidates for presidential elector, any person filing a list of
14 watchers ~~must~~ **shall** attach a certified statement that the report required by R.S.
15 18:1486 has been filed with the supervisory committee in compliance with the
16 Campaign Finance Disclosure Act.

17 * * *

18 §1309. Early voting; verification

19 * * *

20 **N.(1) The state central committee of a recognized political party having**
21 **at least twenty-five percent of the registered voters in the state registered as**
22 **being affiliated with the political party is entitled to have an early voting**
23 **watcher at each early voting location, as space permits, at which a candidate**
24 **affiliated with the political party is on the ballot.**

25 **(2) A qualified voter of the state who is not a candidate in the election**
26 **may serve as an early voting watcher.**

27 **(3) A watcher shall be admitted within the designated early voting**
28 **location during the conduct of early voting where a candidate affiliated with the**
29 **political party is on the ballot and shall call any infraction of the law to the**

1 attention of the registrar of voters or deputy registrar. An early voting watcher
2 may keep notes on the conduct of early voting, but he shall not take part in
3 performing the procedures of Subsections D, E, and F of this Section. An early
4 voting watcher shall not electioneer, engage in political discussions, or
5 unnecessarily delay a voter at the polling place. An early voting watcher is
6 subject to the authority of the registrar of voters or deputy registrar and shall
7 not interfere with the registrar or deputy registrar in the performance of their
8 duties. A state central committee of a political party shall be entitled to have
9 both a watcher and alternate watcher serve at the same early voting location,
10 except that the early voting watcher and alternate watcher may not serve at a
11 single voting location at the same time.

12 (4) The registrar of voters or deputy registrar shall regulate the number
13 of watchers inside the early voting location as provided in R.S. 18:427.

14 (5) A list of early voting watchers shall be filed with the registrar of
15 voters by hand delivery, facsimile, mail, or commercial courier before 4:30 p.m.
16 on the fourteenth business day before the first day of early voting for the
17 primary or general election; however, if the fourteenth business day before the
18 first day of early voting for the primary or general election falls on a Saturday,
19 Sunday, or other legal holiday, the list shall be filed on the next day which is not
20 a Saturday, Sunday, or other legal holiday. For purposes of this Paragraph,
21 "commercial courier" shall have the same meaning as provided in R.S.
22 13:3204(D).

23 (6) The chairman of the state central committee of the political party
24 shall sign and be responsible for filing the list of early voting watchers. If
25 candidates affiliated with the political party are on the ballot in more than one
26 parish, a list of watchers shall be filed with the registrar of voters in each parish
27 where the political party will have early voting watchers.

28 (7) A list of early voting watchers submitted for the primary election may
29 be used for the general election only if the chairman of the state central

1 committee of the political party notifies the registrar of voters in writing by 4:30
 2 p.m. on the tenth business day before the start of early voting for the general
 3 election that he wants to use the same list of early voting watchers.

4 (8) A list of early voting watchers shall contain only one early voting
 5 watcher and one alternate watcher for each early voting location where the state
 6 central committee of the political party is entitled to have an early voting
 7 watcher. The list shall be typed or legibly written, and it shall contain the name
 8 and mailing address of each early voting watcher and alternate watcher and a
 9 designation of the early voting location where each is to serve.

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

DIGEST

SB 261 Engrossed

2024 Regular Session

Hodges

Present law provides that a candidate may designate watchers to serve at every precinct on election day where the office he seeks is voted on in an election. Further provides for the procedure of designating the watchers. Authorizes a candidate to appoint a super watcher who shall be admitted to every precinct in the parish where the candidate is on the ballot.

Proposed law provides that a state central committee of a political party recognized having at least 25% of the registered voters in the state may designate one watcher at every precinct on election day where a candidate affiliated with the political party is on the ballot.

Proposed law provides that each recognized political party having at least 25% of the registered voters in the state may designate super watchers in each parish in which a candidate affiliated with the party is on the ballot. Further provides for the number of super watchers that may be designated by a recognized political party based on the number of registered voters in the parish.

Present law provides for the conduct of early voting, voting location designations, voter identification requirements, qualifications of early voting commissioners, and notice requirements.

Proposed law retains present law and adds a provision allowing the state central committee of a political party having at least 25% of the registered voters in the state to have an early voting watcher at each early voting location, as space permits, at which a candidate affiliated with such political party is on the ballot. Further provides for the qualifications, powers, and duties of the watcher and the procedure for nominating the watcher.

Effective August 1, 2024.

(Amends R.S. 18:435(A)(4) and (B)(2); adds R.S. 18:435(A)(1)(c) and (5) and (B)(1)(c) and 1309(N))