

---

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)]

---

SB 226 Engrossed

2024 Regular Session

Cloud

Present law provides for the method of voting absentee by mail ballot in primary and general elections, bond elections, tax elections, and special elections.

Present law allows a qualified voter to vote absentee by mail provided present law requirements are met.

Present law establishes a challenge process for an absentee by mail ballot as follows:

- (1) A candidate or his representative, a member of the parish board of election supervisors of a parish (board), or a qualified elector may challenge an absentee ballot on any of the following grounds:
  - (a) The person is not qualified to vote in the election.
  - (b) The person is not qualified to vote in the precinct.
  - (c) The person is not the same person whose name is shown on the precinct register.
- (2) During the preparation and verification process for the counting of absentee ballots on election day, any candidate or his representative, member of the board, or qualified elector may challenge the absentee ballot for cause.

Present law provides that during the counting of absentee ballots, at least a majority of the members of the board shall hear and determine the validity of any ballot challenged. Provides if the challenge is sustained, the vote shall not be counted, and the voter shall be notified of the challenge and the cause for the rejection.

Proposed law adds that any absentee by mail ballot with an absentee by mail certificate missing required information that was not cured by the voter will be deemed challenged and requires that at least a majority of the board members hear and determine the validity of any ballot challenged. Provides that if the challenge is sustained, the vote shall not be counted, and the voter shall be notified of the challenge and the reason for the rejection. Further provides that an absentee by mail ballot shall not be deemed challenged solely because the voter indicates on the absentee by mail certificate that he does not know his mother's maiden name.

Proposed law requires the secretary of state to provide for the following:

- (1) The preprinting of information on the absentee by mail certificate of an absentee by mail ballot in a form prescribed by the secretary of state, including but not limited to the date of the election and the ward and precinct of the voter.
- (2) A uniform, standard challenge process and procedure with regards to the items missing on the absentee by mail certificate of an absentee by mail ballot and determinations made by the board.

(Amends R.S. 18:1313.1(G)(3) and (H)(2) and 1315(C); Adds R.S. 18:1315(D) and (E))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

1. Make technical changes.
2. Change references from "affidavit flaps" to "absentee by mail certificate".
3. Remove the procedure for counting early voting machine ballots on election day.
4. Remove rule-making requirements.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the engrossed bill:

1. Provide that indication that the voter's mother's maiden name is unknown is not grounds to deem a ballot challenged.
2. Make technical changes.