

GREEN SHEET REDIGEST

HB 581

2024 Regular Session

Thomas

ELECTIONS: Provides requirements and restrictions on the ability to witness election documents.

DIGEST

Proposed law requires that whenever a document required by or provided for in the La. Election Code is required to be witnessed, the witness shall be at least 18 years old. Requires a witness signing an absentee by mail certificate, to provide a mailing address in the appropriate space on the certificate.

Present law (R.S. 18:1306) prohibits a person, except the immediate family of the voter, from witnessing more than one certificate of a voter. Present law (R.S. 18:2) defines immediate family as the individual's children, the spouses of his children, his brothers and their spouses, his sisters and their spouses, his parents, his spouse, and the parents of his spouse.

Present law provides that during the preparation and verification process for the counting of absentee by mail and early voting ballots before an election or on election day, any candidate or his representative, member of the parish board of elections supervisors, or qualified elector may challenge an absentee by mail or early voting ballot for cause, other than grounds specified in present law.

Proposed law retains present law and further provides that failure to include a witness' mailing address on an absentee ballot certificate shall not be grounds to challenge an absentee by mail ballot.

Proposed law provides for the specific election offense of knowingly, willfully, or intentionally witnessing more than one certificate of a voter who is not an immediate family member in violation of present law.

Present law provides that a person who violates present law shall be fined not more than \$1,000 or be imprisoned for not more than one year, or both. On a second offense, or any subsequent offense, the penalty shall be a fine of not more than \$2,500 or imprisonment for not more than five years, or both. Violations of proposed law are subject to the present law penalties.

Effective July 1, 2025.

(Amends R.S. 18:1315(B); adds R.S. 18:4 and 1461.7(A)(7))

Summary of Amendments Adopted by House

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

1. Change the effective date of the requirement that a witness be at least 18 years of age and the election offense of witnessing more than one certificate of nonfamily member voter from upon signature of governor to July 1, 2025.

Summary of Amendments Adopted by Senate

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

1. Make technical changes.
2. Provide that failure to include a witness' mailing address on an absentee ballot certificate shall not be grounds to challenge an absentee by mail ballot.