

## RÉSUMÉ DIGEST

ACT 317 (SB 218)

2024 Regular Session

Kleinpeter

Prior law (R.S. 18:564) required commissioners at a polling place to write the name of a voter receiving assistance in voting on election day and the name of the person, including a commissioner, assisting the voter behind the tab for Assistance to Voters in the precinct register.

New law retains prior law except to provide that disclosures and signatures are provided on a voter assistance form rather than behind a tab for Assistance to Voters and further requires commissioners to record the address and relationship to the voter receiving assistance of the person assisting the voter and if the person providing assistance other than a commissioner was paid to do so.

Prior law (R.S. 18:1307) provided that an application to vote by mail may be delivered to the registrar of voters by any means, including the U.S. Postal Service, commercial delivery service, hand delivery, or facsimile.

New law retains prior law and further provides that no person except the immediate family member of the voter shall submit more than one marked ballot application to vote.

New law further provides that except as otherwise authorized by law, no person, organization, or entity shall distribute an application form for an absentee by mail ballot to any person who has not requested the application under the provisions of prior law.

New law further provides that if a gubernatorially declared state of disaster or emergency occurs within 45 days of an election, the secretary of state shall determine if the distribution of absentee by mail ballot applications is necessary for voters displaced by the gubernatorially declared state of disaster or emergency.

New law further provides that upon the determination by the secretary of state of the need for the limited distribution of absentee by mail ballot applications as a result of a gubernatorially declared state of disaster or emergency, the secretary shall provide notice to the legislative committees on governmental affairs within 10 days of the distribution.

Prior law provided that applications by disabled voters and senior citizens to vote absentee by mail that meet the qualifications of prior law remain valid indefinitely.

New law retains prior law as it relates to disabled voters participating under the current voters with disability program, but provides that applications by disabled voters participating under the prior disability program and applications by senior citizens are valid until Dec. 31st of the fourth year after the application is received by the registrar. Provides that applications for these voters received before Jan. 1, 2025, expire Dec. 31, 2029.

Prior law requires the registrar or deputy registrar to write the name of a voter receiving assistance during early voting in the precinct register or early voting list kept by the registrar and the name of the person assisting the voter behind the tab for Assistance to Voters and for the person assisting the voter, including a registrar or deputy registrar, to sign his name behind the tab for Assistance to Voters.

New law retains prior law except to provide that disclosures and signatures are provided on a voter assistance form rather than behind a tab for Assistance to Voters and further requires the registrar or deputy registrar to write the name of the person providing assistance and attest whether the person other than a commissioner providing assistance was paid to do so.

Prior law provided that the breach of any mandatory provision of prior law relative to the conduct of elections is considered an election offense and is punishable by law.

New law retains prior law and further provides that facilitation of the distribution and collection of absentee by mail ballot applications or absentee by mail ballots in violation of the Election Code is also an election offense punishable by law.

Effective January 1, 2025 except amendment to §1461.7(A) regarding unlawful distribution and collection of absentee ballot applications effective May 28, 2024.

(Amends R.S. 18:564(B)(5)(b), 1307(B)(1)(a)(i) and (G), 1309.3(B)(4)(b), and 1461.7(A)(6); adds R.S. 18:1307(J) and (K) and 1461.7(A)(7))