HB 842 Original   2026 Regular Session   Beaullieu

Abstract: Makes revisions to the La. Election Code.

Registrars of voters

Present law (R.S. 18:53) provides grounds for removal of a registrar of voters. Provides that if the commissioner of elections raises allegations that the parish registrar has engaged in conduct for which a registrar may be removed, the State Board of Election Supervisors shall schedule a hearing on the allegations brought by the commissioner of elections within 30 days of the receipt thereof. Proposed law retains present law.

Present law (R.S. 18:55 and 59) provides that the parish portion of the salary for each registrar of voters, chief deputy registrar, and confidential assistant shall be paid monthly by the parish governing authority.

Proposed law retains present law and further provides that the parish portion of the salary may also be paid biweekly or semimonthly.

Present law (R.S. 18:62) provides that no registrar of voters, deputy registrar, or other employee of a registrar who is in the unclassified *state* service shall participate or engage in certain political activity.

Proposed law retains present law and further extends the prohibition to registrars of voters, deputy registrars, and other employees of a registrar who are in the unclassified civil service of *any* civil service system.

Present law further provides that all deputy registrars and other employees of a registrar who are in the classified *state* service shall be subject to the constitution and laws, and the regulations adopted pursuant thereto, affecting political activities by persons in the classified state service.

Proposed law retains present law and further provides that deputy registrars and other employees of a registrar who are in the classified civil service of *any* civil service system shall be subject to the constitution and laws, and the regulations adopted pursuant thereto, affecting political activities by persons in the classified civil service.

Present law (R.S. 18:134) requires that the registrar or a deputy registrar designated by him shall remain in the registrar's office during the time that the office is open on election day.

Proposed law instead specifically requires that the registrar, chief deputy registrar, or confidential assistant remain in the office during such time.

Voter registration

Present law (R.S. 18:108) provides that if a registrant's application for registration indicates that the applicant previously registered as a voter in any other parish, and if the previous notice of registration is available, then before making a new registration the registrar shall require the applicant to surrender his previous notice for cancellation and the registrar shall promptly notify the registrar of the parish in which the applicant has registered previously of the present registration.

Proposed law removes the requirement that the applicant surrender his previous notice for cancellation.

Present law provides that in such instances, the other registrar shall verify the cancellation of the voter's registration in the other parish. Proposed law removes the requirement that the other registrar verify the cancellation and instead requires the registrar to cancel the prior registration in the other parish.

Present law (R.S. 18:110) provides that a change of registration based upon a change of residence within a parish received after the closing of registration for a primary election shall become effective the day after the general election or special general election when a special primary election is held in conjunction with a general election. Present law provides exceptions for when registration is cancelled or changed under certain specific circumstances.

Proposed law retains present law and further provides that a change of registration based upon a change of residence within a parish received after the closing of registration for a closed party primary election shall become effective the day after the second party primary election.

Proposed law (R.S. 18:106.1) provides that if a registered voter, subsequent to his registration, is no longer capable of signing his name or making a mark due to a physical disability, he shall file with the registrar of voters an alternative signature attestation to authorize another person to sign documents required by the Election Code on his behalf. Requires the voter to include a letter signed by a physician stating that the voter is unable to provide his signature or mark due to a physical disability and that the voter is capable of providing consent for another person to sign on his behalf.

Proposed law imposes requirements on the individual assisting the applicant and provides for information that shall be included on the form.

Proposed law provides that the individual authorized to assist the voter shall be an elector of the state and shall not be a candidate, the voter's employer or employer's agent, or the voter's union agent. Provides that the individual authorized to assist the applicant shall also sign and print his own name and residential address on any document for which the individual assists the applicant.

Proposed law further provides that if a registered voter who is no longer capable of signing his name

or making a mark due to a physical disability appears in person to vote on election day or during early voting, he shall verbally or otherwise convey his consent for the commissioner or deputy registrar to sign the precinct register, early voting register, and any other forms required by the Election Code and the commissioner or deputy registrar shall sign on behalf of the voter in the presence of at least one witness.

Present law (R.S. 18:154) provides, generally, that the records of each registrar are public records and at all times during office hours shall be open to inspection, except the early voting confirmation sheets of voters. Further provides that the name and address of a law enforcement officer shall not be subject to disclosure if the registrar has received certification from the law enforcement agency employing the officer that the officer is engaging in hazardous activities and it is necessary for his name and address to be kept confidential. Provides that any agency employing a law enforcement officer whose records are made confidential shall also issue a decertification notice to the registrar of voters when the officer is no longer engaging in hazardous activities.

Proposed law retains present law and further provides that the law enforcement officer may submit written notice to the registrar of voters that it is no longer necessary for his name and address to be kept confidential.

Proposed law provides that upon receipt of a notification from either the employing agency or the law enforcement officer, the registrar shall remove the indication of certification for the affected law enforcement officer from the state voter registration computer system.

Present law (R.S. 18:192), requires the Dept. of State to conduct two separate annual canvasses of registered voters, one occurring no later than July 31st, and another occurring no later than June 30th. Proposed law provides that the department is not required to conduct either canvass in a calendar year when there is less than sixty days between the spring general election date and opening of qualifying for the fall election cycle.

When conducting the annual canvass, present law requires the Dept. of State to use address data obtained pursuant to a written agreement from another state or federal governmental agency or private vendor that provides voter registration eligibility or address data to verify the names and addresses of the registrants in all precincts in the state. Proposed law retains present law.

Present law requires the Dept. of State to use information available in the state voter registration computer system to conduct the annual canvass and identify registrants whose name does not appear with a corrected address provided by the United States Postal Service (USPS) or its licensee.

Proposed law provides that the Dept. of State shall use information provided pursuant to the written agreement provided for in present law, instead of information provided by the USPS or its licensee.

Present law (R.S. 18:193) provides for the placement of registrants on the inactive list of voters when the registrar has reason to believe that the registrant is no longer qualified to be registered, or that a registrant has changed his residence. Proposed law retains present law.

Present law provides that the registrant shall not be placed on the inactive list of voters if there is address information available to the registrar from the USPS or its licensee. Proposed law instead provides the registrant shall not be placed on the inactive list of voters if there is address information available to the registrar as provided in present law (R.S. 18:192).

Present law provides for the use of an address confirmation notice to confirm the address of a registered voter. Present law (R.S. 18:191.1) provides that the address confirmation notice shall include a postage prepaid and preaddressed return notice sent by forwardable mail and shall inform the registrant about his voting rights under the address confirmation process.

Proposed law retains present law.

Present law requires registered voters who appear at a polling location on election day to confirm their address using an address confirmation notice. Proposed law (R.S. 18:196(B), 562(B), 565(B), 571, 573, 1315(D)(2), and 1333) instead requires such voters to confirm their address using an address confirmation *form*.

Present law provides that if a registrant whose name is on the inactive list of voters votes absentee by mail or during early voting, the registrar shall transfer the registrant's name to the official list of voters and make any necessary corrections in the registrant's registration records if the information on the address confirmation notice or the residence address provided in an application to vote by mail so indicates.

Proposed law requires the same if a registrant whose name is on the inactive list of voters applies to vote absentee by mail. Further requires the registrar to change the registrant's registration address to the residence address provided on the address confirmation form or application to vote by mail.

Present law (R.S. 18:197) provides that no registrar shall cancel the registration of any voter in his parish between any primary election and the subsequent general election occurring in that parish, except for those fraudulently placed upon the registration records or canceled pursuant to the annual canvass conducted by the registrar.

Proposed law instead places a limitation on cancellations between any *open* primary and subsequent general election, except for if the registration was illegally or fraudulently placed upon the registration records, the registrant is no longer qualified to be registered for a reason other than a change of residence or address, or the registrant has deliberately given an incorrect address.

Present law (R.S. 18:107) provides that an applicant for registration who declares party affiliation as "Independent" or with the "Independent Party" shall have his party affiliation entered as "No Party".

Proposed law retains present law and further provides that on and after Sept. 1, 2026, that a person who is registered as or who applies for registration as "unaffiliated" shall have his party affiliation changed to "no party".

Present law (R.S. 18:154) prohibits circulating on a commercial list or otherwise disclosing the voter registration application and any information contained on the voter registration application of any person who is 16 or 17 years of age.

Proposed law retains present law except to provide that the voter registration information of a person who is 17 years of age may appear in a precinct register when that person will be 18 years of age within seven days before an election day.

Present law (R.S. 18:13003.3) provides procedures for the certification of signatures on a recall petition. Present law provides that the registrar of voters for each parish in the voting area may request and accept the assistance of employees of the Dept. of State and registrars and deputy registrars of voters from other parishes to complete the certification of the recall petition. Proposed law retains present law.

Present law provides that each person offering such assistance shall be considered a deputy registrar of the requesting parish registrar for that purpose only. Proposed law repeals present law.

Election administration, generally

Present law (R.S. 18:402) provides for prohibited election days. Provides that if the date of any fall election falls on any prohibited day, the election shall be held on the same *weekday* of the preceding week. Proposed law instead provides that the election shall be held on the same *day* of the preceding week.

Present law (R.S. 18:402(G)(1)) as amended and reenacted by Act No. 640 of the 2024 R.S. of the Legislature of La. provides that the fall gubernatorial and congressional election dates shall be the regularly scheduled statewide elections for purposes of voting on constitutional amendments. Proposed law retains present law.

Present law (R.S. 18:433) provides that the parish board of election supervisors shall meet at 10:00 a.m. on the 2nd Friday in January of each year to select commissioners-in-charge, or if the course of instruction for commissioners-in-charge is delayed, at 10:00 a.m. on or before the 5th day after completion of the course.

Proposed law instead requires that the parish board meet on or before the 2nd Friday in January and removes the requirement that the parish board meet at 10:00 a.m in either circumstance.

Present law (R.S. 18:1314) provides that the parish board of election supervisors shall meet at 10:00 a.m. on the 5th day before a primary election and at 10:00 a.m. on the 5th day before a general election to select parish board commissioners necessary to count absentee and early voting ballots. Proposed law removes the requirement that the parish board meet at 10:00 a.m in either circumstance and allows the board to meet on or before the 5th day for each circumstance.

Present law (R.S. 18:564 and 1309.3) provides that a voter needing assistance on election day or early voting, along with the person assisting the voter, shall complete a voter assistance form and

provide the name, address, and relationship to the voter of the person, including a commissioner, assisting the voter and attest whether the person, other than a commissioner, assisting the voter was paid to provide assistance.

Proposed law provides that only the person assisting the voter, and not the voter, shall complete the voter assistance form.

Present law (R.S. 18:574) requires the parish board of election supervisors, immediately after the completion of the verification by the clerk of court and the counting and tabulation of provisional ballots for federal office, to publicly prepare two compiled statements of the election returns as shown by the record of the votes made by the clerk of court. Requires that the parish board mail one copy of the compiled statement to the secretary of state and that the clerk transmit the other copy to the secretary of state.

Proposed law instead requires the parish board to prepare one compiled statement and requires the clerk to transmit an electronic copy to the secretary of state.

Present law (R.S. 18:602, 604, 621) requires the secretary of state, within 24 hours of receiving a proclamation ordering a special election to fill a vacancy, to notify all election officials having any duty in connection with a special election to fill such vacancy, including the parish boards of election supervisors for the parish or parishes in which the vacancy occurred.

Proposed law instead requires the secretary of state to provide the notice immediately.

Present law (R.S. 18:532, 532.1, and 1922.2) provides for the establishment of precincts and changing of boundaries and other reapportionment plans. Requires the parish governing authority or local governing body, prior to adoption, to submit proposed precincts or boundaries to the clerk and registrar to confirm the ability to conduct an election on the proposed plan.

Proposed law requires the clerk and registrar to submit their confirmation in writing and requires the parish governing authority or local governing body to submit the confirmation to the secretary.

Present law (R.S. 18:1259) prescribes the arrangement of the ballot. Provides that certain information shall appear directly to the left of the names of the presidential and vice presidential candidates. Proposed law requires that the information instead appear in addition to the names of the candidates.

Present law (R.S. 18:1309) provides for early voting commissioners. Provides that a person may serve as an early voting commissioner only if he has received a certificate of instruction and attended a course of instruction for early voting commissioners.

Proposed law also requires that a person serving as early voting commissioner to be a qualified voter who is able to perform the essential duties of a commissioner.

Present law further provides specific criteria for which a person is disqualified from serving as an

early voting commissioner.

Proposed law instead provides that an early voting commissioner shall meet the same qualifications as an election day commissioner.

Present law provides that a list of early voting watchers shall be filed with the registrar of voters before 4:30 p.m. on the 14th business day before the first day of early voting. Proposed law instead requires the list to be filed before 4:30 p.m. on the 10th business day before the first day of early voting.

Present law (R.S. 18:1371) provides for the secretary of state to contract for the delivery of voting machines and equipment through the method of advertising and letting according to the La. Procurement Code.

Proposed law instead authorizes the secretary of state to contract for such services in accordance with the La. Procurement Code, without regard to a specific method of procurement.

Present law requires the secretary of state to provide notice of invitations to be in a specific manner not otherwise provided for in the La. Procurement Code when seeking to award a contract by competitive sealed bid. Proposed law retains present law.

Present law (R.S. 18:1413) provides that if a time interval provided in the Election Code ends on a Sunday or other legal holiday, then noon of the next legal day shall be deemed to be the end of the time interval.

Proposed law changes the end of the time interval to 4:30 p.m. of the next legal day.

Candidate qualifying and withdrawal

Present law (R.S. 18:465) provides that each voter who signs a nominating petition shall date his signature and shall provide the ward and precinct in which he is registered to vote, his residence address, including the municipal number, the apartment number, if any, the rural route and box number, or any other physical description that will identify his actual place of residence. Additionally requires that the name of each voter who signed the nominating petition to be typed or legibly written on the petition, and each signature on the nominating petition to be dated and witnessed by the candidate or the person who obtained the signature on his behalf.

Proposed law instead requires each voter who signs the petition to provide the information generally required for petitions submitted to the registrar, which includes the voter's signature or mark, the date that the voter signed the petition, his year of birth, the address at which he is registered to vote, his name either typed or legibly written, the printed name of the person who witnessed and who obtained the signature either typed or legibly written, and the month, day, and year on which the person witnessed and obtained the signature.

Proposed law authorizes the registrar for each parish that is required to certify a nominating petition

to request and accept the assistance of employees of the Dept. of State and registrars and deputy registrars of voters from other parishes to complete the certification of the nominating petition.

Present law (R.S. 18:469) provides that when a candidate that has opposition in a primary election for a public office dies after the close of the qualifying period and before the time for closing the polls on the day of the primary election, the qualifying period for candidates in the primary election for that office shall reopen for candidates on the day after the death and shall close on the third day after notice of the death.

Proposed law provides that the qualifying period shall reopen on the day after the secretary of state receives actual notice of the death.

Present law (R.S. 18:1405 and 1413) provides that an action objecting to candidacy shall be instituted not later than 4:30 p.m. of the 7th day after the close of qualifications for candidates in the primary election. After the expiration of the time period, no further action shall be commenced objecting to candidacy based on the grounds for objections to candidacy. Provides that computation of time intervals shall include Sundays and other legal holidays. However, if the time interval ends on a Sunday or other legal holiday, then noon of the next legal day shall be deemed to be the end of the time interval. Present law (R.S. 18:493) reiterates the same provisions.

Proposed law retains present law as it appears in R.S. 18:1405 and 1413, and repeals the reiteration of present law contained in R.S. 18:493.

Present law (R.S. 18:501) provides that if the number of candidates remaining in a primary election, second party primary election, or general election for a public office is one more than the number of persons to be elected to the office, the secretary of state shall accept a notice of withdrawal that is filed prior to 4:30 p.m. on the second day prior to the first day of early voting.

Proposed law provides that the secretary of state shall accept a notice received on the second *business* day prior to the first day of early voting.

Present law (R.S. 18:1254) provides for nominating petitions for the office of presidential elector. Requires that petitions shall be in the form prescribed for nominating petitions generally, which requires that each sheet of the petition include the candidate's name and domiciliary address. Further requires that the petition for presidential elector include the names of the candidate for president and the candidate for vice president whom the candidates for elector support.

Proposed law removes the requirement that each sheet include the candidate's name and domiciliary address and instead provides that each sheet of the petition include the names of the candidate for president and the candidate for vice president whom the candidates for elector support.

Absentee by mail and early voting

Present law (R.S. 18:1303) authorizes certain persons to vote absentee by mail. Provides that qualified voters who are employees of the secretary of state or a registrar of voters for a parish other

than the parish where the person is registered to vote may vote absentee by mail if he submits to his parish registrar of voters a copy of a state employee identification card or identification card showing employement with the registrar of voters.

Proposed law additionally authorizes such qualified voters employed by the Dept. of State to submit a letter from his supervisor on secretary of state letterhead confirming his employment, or a paystub; and a qualified voter employed by a registar of voters to submit a letter from the registrar of voters confirming his employment, or a paystub.

Present law (R.S. 18:1310) provides for the marking of an absentee by mail ballot. Proposed law provides that in order to cast a vote on an absentee by mail ballot, a voter must make a selection for a candidate or for or against a proposition by completely filling in the oval to the right of a selection and returning the ballot to the registrar of voters as provided in this Section within the applicable deadline set forth by law. If a voter makes selections for more than the number of candidates to be elected for an office or makes selections for and against the same proposition, the selections for that office or proposition will be void.

Present law (R.S. 18:1313 and 1313.1) provides that absentee by mail and early voting ballots shall be counted at a time fixed by the parish board of election supervisors which shall be on election day no later then 8:00 p.m.

Proposed law retains present law and further provides that if the time selected by the parish board of election supervisors to count absentee by mail and early voting ballots is after 4:00 p.m. on election day, the start time must be submitted to the commissioner of elections for approval no later than the fourth day prior to election day.

Present law (R.S. 18:1315(A)) provides for the challenge of an absentee by mail or early voting ballot may be filed with the registrar no later than the 4th day before the election. Proposed law limits present law to apply only to the challenge of absentee by mail ballots, and instead provides that early voting ballots may be challenged prior to the person casting an early voting ballot, in which case the voter shall cast his vote on a paper ballot instead of on an early voting machine.

Present law (R.S. 18:1315(B)) provides that failure to include a witness's mailing address on an absentee ballot certificate shall not be grounds to challenge an absentee by mail ballot.

Proposed law retains present law and further provides that failure to include a witness's printed name shall not be grounds to challenge an absentee by mail ballot.

Present law (R.S. 18:1316) provides for the parish board to reject an absentee by mail or early voting ballot having distinguishing marks; provides for circumstances that shall lead to the rejection of a ballot and for certain ballots that shall not be considered as having distinguishing marks.

Proposed law retains present law and authorizes the secretary of state to adopt rules necessary to effectuate present law.

Present law (R.S. 18:1317) provides for the curing of absentee mail ballot deficiencies. Proposed law retains present law and provides that the failure of a witness to provide his printed name or address on the absentee by mail certificate shall not be deemed a deficiency requiring cure.

Present law (R.S. 18:1333) provides for the nursing home early voting program authorizing qualified voters who reside in a nursing home to vote early during the period extending two weeks prior to the beginning day for early voting through the last day for early voting, which is seven days prior to the scheduled election.

Proposed law extends the nursing home early voting period to end on the fourth day before election day.

Election contests

Present law (R.S. 18:1401) provides for election contests and challenges, including actions objecting to candidacy, actions brought by a candidate or person in interest contesting an election, actions objecting to the calling of a special election to fill a vacancy, actions contesting the certification of a recall petition, and actions contesting a recall election.

Proposed law retains present law and further authorizes the secretary of state to bring an action contesting any election if he alleges irregularities in the conduct of the election may have effected the outcome of the election and those irregularities were reported to him by an election official or noted by a commissioner or the parish board of election supervisors in a notation of irregularities. Provides that the cause of action shall be filed no later than the compilation and verification or the promulgation of election results.

Proposed law further authorizes a qualified elector to bring an action objecting to the placement of a constitutional amendment on a ballot.

Present law (R.S. 18:1402) provides for the proper parties to the various actions contesting an election.

Proposed law retains present law and further provides that in any action brought pursuant to proposed law by the secretary of state contesting an election on a proposition, the proper party shall be the governing authority which called the election. In any action brought by the secretary of state pursuant to proposed law contesting an election for public office, the proper parties shall be the candidates for the office in question. In any action brought by the secretary of state pursuant to proposed law contesting a recall election, the proper parties shall be the public officer who is the subject a recall election.

Proposed law further provides that the secretary of state is a proper party, in his official capacity, in an action objecting to the placement of a constitutional amendment on the ballot.

Present law (R.S. 18:1405) provides for the timing for the commencement of election contests.

Present law provides for the deadlines to file an action objecting to candidacy, an action contesting any election involving election to office, an action contesting an election submitting certain propositions to the voters, an action objecting to the calling of a special election, and an action contesting any election involving the recall of a public officer, but does not provide for the first day such actions can be filed.

Proposed law provides that an action objecting to candidacy shall be instituted no earlier than the day the candidate submits his notice of candidacy to the qualifying official.

Proposed law provides that an action contesting any election involving election to office, an action contesting an election submitting certain propositions to the voters, or an action contesting any election involving the recall of a public officer shall be instituted no earlier than the day after the date of the election.

Proposed law provides that an action objecting to the calling of a special election shall be instituted no earlier than the date the election is called.

Proposed law provides that an action objecting to the placement of a constitutional amendment on the ballot shall be instituted no earlier than the date of the final passage of the joint resolution calling the election and no later than 4:30 p.m. of the 30th day after final passage of the legislative instrument calling the election.

(Amends R.S. 18:53(B)(2)(b), 55(D), 59(F), 62, 108(A), 134(E)(1), 154(C)(1)(h) and (D)(1) and (3), 192(B)(1)(a), 193(A), 196(B) and (C)(2)(a), 197, 402(A)(1), 433(B)(1), 465(B) and (D), 469(A), 491(B), 493, 501(C), 532(F), 532.1(C)(1) and (4), 562(B)(2), 564(B)(5)(b), 565(B) and (C), 571(A)(8), 573(E), 574(A)(2) and (3), 602(E)(2)(d), 604(B)(2)(c), 621(B), 1254(C), 1259(B)(2)(intro. para.), 1300.3(A)(1)(b), 1303(K) and (L), 1309(D)(2), (K), and (N)(5),1309.3(B)(4)(b), 1313(C)(1) and (H)(3) and (5), 1313.1(C)(2) and (I)(2), 1314(B)(2) and (C)(2)(a) and (3), 1315(A)(1) and (2)(intro. para.), (B), and (D)(2), 1317, 1333(B) and (G)(1) and (7), 1371(A)(1) and (2)(intro. para.), 1401(G), 1402(B), 1405, 1413, and 1922.2; Adds R.S. 18:106.2, 107(H), 110(B)(1)(c), 192(C), 465(E)(3), 1310(A)(3), 1316(D), and 1401(H) and (I))