First Extraordinary Session, 2005

HOUSE BILL NO. 100

BY REPRESENTATIVE RICHMOND

ELECTIONS/ABSENTEE VOTE: Allows registered voters temporarily displaced by a gubernatorially declared state of emergency who have registered by mail to vote absentee by mail without first voting in person or appearing in the office of the registrar (Item #58)

1	AN ACT
2	To enact R.S. 18:115(F)(2)(d), relative to voting absentee by mail; to provide for persons
3	displaced by a gubernatorially declared state of emergency who have registered to
4	vote by mail to vote absentee by mail; to provide for documentation; to provide for
5	the effectiveness of such provisions; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 18:115(F)(2)(d) is hereby enacted to read as follows:
8	§115. Registration by mail
9	* * *
10	F.
11	* * *
12	(2) The provisions of Paragraph (1) of this Subsection shall not apply in the
13	case of the following:
14	* * *
15	(d) A person who has been temporarily displaced from his parish of
16	residence by a gubernatorially declared state of emergency, when he submits with
17	the application to vote by mail documentation showing his displaced status from a
18	nonprofit organization exempt from federal taxation pursuant to Section 501(c)(3)
19	of the Internal Revenue Code or a federal or state agency. The provisions of this

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	Subparagraph shall be effective for a period of one year following the date of the
2	issuance of any gubernatorial proclamation declaring a state of emergency; however,
3	upon the certification of the secretary of state that circumstances in the areas affected
4	by such emergency significantly impair the ability of such displaced persons to vote
5	in person during the early voting period or at the polls on election day, the governor
6	may issue a proclamation extending the period of effectiveness of the provisions of
7	this Subparagraph relative to such emergency.
8	* * *
9	Section 2. This Act shall become effective upon signature by the governor or, if not
10	signed by the governor, upon expiration of the time for bills to become law without signature
11	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
12	vetoed by the governor and subsequently approved by the legislature, this Act shall become
13	effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Richmond

HB No. 100

Abstract: Provides for registered voters displaced by a gubernatorially declared state of emergency who have registered by mail to vote absentee by mail without first voting in person or appearing in the office of the registrar if they submit certain documentation showing their displaced status. Makes provision effective for a one-year period following any such governor's declaration, but allows the governor to extend such period upon certification of the secretary of state that due to the emergency such persons shall be impaired from voting during early voting and at the polls on election day.

<u>Present law</u> (R.S. 18:115) requires any voter who registered to vote by mail and who has not previously voted in the parish in which he is registered to vote in person in the office of the registrar or in person at the precinct where he is registered to vote. Provides that such requirement does not apply to certain persons who are uniformed and overseas, elderly, or handicapped to whom other provisions of <u>present law</u> apply, a student whose institution of higher learning is located outside of his parish of residence, provided that the student submit certain documentation, or to a person who appears in the office of the registrar of voters prior to the absentee in person voting period to establish his identity.

<u>Proposed law</u> extends the exemption from the requirements of <u>present law</u> to a person who has been temporarily displaced from his parish of residence by a gubernatorially declared state of emergency, when he also submits documentation showing his displaced status from a nonprofit organization exempt from federal taxation or a federal or state agency. Provides for the provisions of <u>proposed law</u> to be effective for one year following the date of the issuance of any gubernatorial proclamation declaring a state of emergency.

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governor to extend the effective period of <u>proposed law</u>, relative to the emergency, via proclamation upon certification by the secretary of state that circumstances in the areas affected by the emergency significantly impair the ability of the displaced persons to vote in person during the early voting period or at the polls on election day.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 18:115(F)(2)(d))