

2019 Regular Session

HOUSE BILL NO. 202

BY REPRESENTATIVE GREGORY MILLER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

VOTERS/VOTING: Provides that a polling place for a precinct is not required to be opened under certain circumstances

1 AN ACT

2 To amend and reenact R.S. 18:531.1(A)(1), relative to polling places; to provide that a
3 polling place for a precinct is not required to be opened under certain circumstances;
4 to provide relative to the powers, duties, and authority of registrars of voters relative
5 to such polling places; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:531.1(A)(1) is hereby amended and reenacted to read as follows:

8 §531.1. ~~Exception~~ Exceptions to opening polls; alternative voting locations

9 A. Notwithstanding any provision of law to the contrary, the polling place
10 for a particular precinct shall not be required to be opened in either of the following
11 circumstances:

12 (1) When it is determined by the registrar of voters that there are ~~no~~ fewer
13 than ten voters eligible to vote in the voting district in the precinct for any office or
14 proposition on the ballot.

15 * * *

16 Section 2. This Act shall become effective upon signature by the governor or, if not
17 signed by the governor, upon expiration of the time for bills to become law without signature
18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
20 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. 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)]

HB 202 Original

2019 Regular Session

Gregory Miller

Abstract: Provides that a polling place is not required to be opened when the registrar of voters determines that fewer than 10 voters are eligible to vote in the election.

Present law (R.S. 18:531) provides that generally, a voter on election day must vote at the polling place in the precinct where he is registered to vote.

Present law (R.S. 18:531.1) provides that the polling place for a particular precinct is not required to be opened when it is determined by the registrar of voters after the close of early voting, that all voters eligible to vote in the precinct have voted absentee by mail or during early voting.

Proposed law retains present law.

Present law additionally provides that a polling place is not required to be opened when the registrar determines that there are no voters eligible to vote in the voting district in the precinct for any office or proposition on the ballot.

Proposed law provides that the polling place is not required to be opened when there are fewer than 10 eligible voters, instead of no eligible voters. Otherwise retains present law.

Present law requires the registrar to notify the secretary of state and the other members of the parish board of election supervisors of all determinations by the registrar concerning not opening a polling place.

Present law provides that when the polling place for a precinct to which a voter is assigned is not opened and it is subsequently determined on election day that a voter is eligible to vote and has not voted absentee by mail or during early voting, the voter may cast his vote at the polling place nearest the precinct at which he is registered, provided such polling place has the ballot for which he is eligible to vote on a voting machine. Requires the registrar to authorize a commissioner at the nearest polling place to allow the voter to vote after the voter completes and signs the affidavit of voter form. Provides that if no such polling place is available, the voter may cast his vote by paper ballot in the office of the registrar of voters or at a location designated by the registrar.

Proposed law retains present law and makes present law applicable to proposed law.

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

(Amends R.S. 18:531.1(A)(1))