DIGEST

SB 259 Original   2020 Regular Session   Carter

Present law requires voter registration services to be available at all driver's license facilities in the state. Provides that each application to obtain, renew, or change the name or address on a driver's license or identification card issued by the Dept. of Public Safety and Corrections made by an applicant who is 18 years or older will also serve as an application for voter registration by the applicant unless the applicant declines to register to vote through specific declination. Provides that each application to obtain a driver's license issued by the Dept. of Public Safety and Corrections made by an applicant who is 16 years old will also serve as an application for voter registration by the applicant unless the applicant declines to register to vote through specific declination. Provides that any person age 17 may register to vote at any time prior to the first election at which he will have attained the age of 18 years. Prohibits anyone under the age of 18 from voting in any election.

Present law requires the secretary of state to design and provide a standard notice informing the public of the eligibility requirements for and availability of voter registration and requires the notice to be posted in each driver's license facility of the state.

Proposed law retains present law.

Present law provides that an application to obtain, renew, or change the name or address on a driver's license or identification card by an applicant who is 18 years or older, or an application to obtain a driver's license by a person who is 16 years old will not be considered an application for voter registration if the applicant fails to sign the voter registration application.

Proposed law repeals present law.

Present law requires the secretary of state and the deputy secretary for public safety services of the Dept. of Public Safety and Corrections to develop application forms for use at driver's license facilities.

Proposed law retains present law.

Present law requires the development of voter registration application forms and requires such forms to be in conformity with the National Voter Registration Act of 1993.

Proposed law repeals present law. Requires the development of an application that includes spaces for all of the information necessary to apply for a driver's license or identification card, to decline voter registration, and the minimum information necessary to register to vote.

Present law provides that any employee authorized to accept an application to obtain, renew, or

change the name or address on a driver's license or identification card will offer voter registration to any person making such an application and, upon request, will provide assistance to any person who desires to register to vote. Provides that such assistance may consist of answering any question that person might have about completing the registration application form. Provides, however, if the person requesting assistance, has a physical disability, or is unable to read or write English, the authorized employee will provide such assistance as is allowed to be provided by registrars of voters under the provisions of present law.

Proposed law repeals references to "registration application form" and refers instead to "the application". Otherwise retains present law.

Present law provides that prior to generating the portion of the form which is an individual registration form, the authorized employee will require the applicant to submit his current La. driver's license, if he has one, or his birth certificate or birth certification card, or other documentation which reasonably and sufficiently establishes the applicant's identity, age, and residency.

Proposed law repeals present law.

Present law requires each applicant to complete the registration application form in the presence of an authorized employee. Provides that upon completion of the registration application form, the applicant will return the form to an authorized employee. Requires the authorized employee to ensure that the registration form has been completely filled out.

Proposed law repeals references to "registration application form" and "registration form" and refers instead to "the application form". Otherwise retains present law.

Present law requires the applicant to sign the affidavit provision of the registration form before the authorized employee who will be authorized to administer any oath required on the registration form.

Proposed law repeals present law.

Present law requires the authorized employee to inform the applicant that he will not be officially registered to vote until approved by the registrar of voters.

Proposed law retains present law.

Present law provides that the authorized employee will, within five working days, return the completed registration application to the registrar of voters within the parish where the office is located who will transmit such application to the appropriate registrar of voters for the parish in which the applicant resides, as determined from the information contained on the registration application. Provides that if a registration application is accepted within five days before the last day for registration, each driver's license facility will transmit the completed voter registration application forms at the conclusion of each business day.

Proposed law repeals present law.

Proposed law provides that the deputy secretary for public safety services of the Dept. of Public Safety and Corrections will compile and transmit to the secretary of state at least every five days information in electronic format concerning persons over the age of 16 who have been issued a driver's license or identification card by the Dept. of Public Safety and Corrections or have renewed or changed the name or address on such driver's license or identification card and who did not decline voter registration when making application for the issuance, renewal, or change. The deputy secretary will include the information for each person that is necessary to register the person to vote, including the electronic signature of the person.

Proposed law provides that the secretary of state will provide voter registration information relative to a person that is received pursuant to proposed law to the registrar of voters for the parish in which the person may be registered to vote, unless the person declines voter registration.

Present law provides that if the voter registration information is insufficient to register the applicant, the registrar of voters will mail a notice to the applicant at the address provided on the application form informing the applicant that he has 10 days from the date on which the notice was mailed to provide the necessary information. Provides that if the applicant fails to provide the necessary information within that time, the applicant will not be registered and the registrar will so advise the applicant.

Proposed law retains present law.

Present law provides that if the voter registration information received by the registrar establishes that the applicant meets the requirements for registration, the registrar will register the applicant and mail notice of registration to the applicant's residence.

Proposed law retains present law and specifies that the applicant will be registered only if he is not already registered. Specifies that the notice will be sent pursuant to present law.

Present law provides that any completed voter registration application transmitted to and received by a registrar by a driver's license facility will be considered an update of any existing registration for that person. Provides, however, that if a registrar accepts any application for registration, change of name, or change of address that has been received by a driver's license facility while the registration records are closed for a particular election as required by present law, none of the changes in a registration will be effective until at least the day after the particular election has been held. Provides that in the case of a change of address, the change will be effective in accordance with the provisions of present law.

Proposed law replaces references to receipt of "registration applications" with receipt of "voter registration information". Specifies that the voter registration information will be considered an update if the person is already registered. Requires the registrar to update the person's registration information as necessary and mail notice to the person's residence pursuant to present law. Otherwise retains present law.

Present law provides that the transmittal of a change of address or change of name will be handled

in the same manner as the transmittal of a voter registration application.

Proposed law repeals present law.

Present law provides that no individual will be registered to vote pursuant to present law if he does not meet the requirements for registration as provided in present law, except where such provisions are specifically in conflict with present law.

Present law provides that any public official or employee who attempts to register any person without complying with the applicable provisions of present law will be subject to a fine of not more than $500 or be imprisoned for not more than six months, or both.

Present law provides that the secretary of state, after consultation with the deputy secretary for public safety services of the Dept. of Public Safety and Corrections, will adopt rules and regulations to provide for the implementation of this present law. Provides that such rules and regulations will be adopted in accordance with present law (Administrative Procedure Act) and will be subject to oversight by the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs.

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

Present law provides that if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes. Provides that the fact that any particular applicant has submitted an application to register to vote at a driver's license facility will be kept confidential and will be used only for voter registration purposes.

Present law provides that each driver's license facility will maintain such statistical records on the number of applications to register to vote as requested by the secretary of state.

Proposed law retains present law.

Present law provides that no person shall knowingly, willfully, or intentionally register, vote, or attempt to register or vote in the name of another or in an assumed or fictitious name, or in any manner other than as provided by law.

Proposed law retains present law and adds that if a person who is ineligible to vote becomes inadvertently registered to vote pursuant to have been effected with official authorization, and the person shall not be deemed guilty of a crime, unless the person registered to vote knowing that person was not eligible to do so.

Effective January 1, 2021.

(Amends R.S. 18:114(B)(1), (E), and (F) and R.S. 18:1461.2 (A)(3); repeals R.S. 18:114(J))