

2023 Regular Session

HOUSE BILL NO. 396

BY REPRESENTATIVES JENKINS AND WILFORD CARTER

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

VOTING/REGISTRATION: Provides for the reinstatement of the voter registration of a person who is no longer under an order of imprisonment

1 AN ACT

2 To amend and reenact R.S. 18:177(A), relative to the reinstatement of voter registration; to
3 provide for reinstatement for a person who is no longer under an order of
4 imprisonment or has not been incarcerated pursuant to the order for five years; to
5 provide for notification to the registrar of voters; to provide for the duties of the
6 registrar; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:177(A) is hereby amended and reenacted to read as follows:

9 §177. Reinstatement of registration after suspension

10 A.~~(+)~~ The registration of a person whose registration has been suspended by
11 the registrar of voters pursuant to R.S. 18:176(A) shall be reinstated by the registrar
12 upon any of the following:

13 (a) The person is no longer identified on a report provided to the registrar by
14 the Department of State pursuant to R.S. 19:171(C) or 171.1(A).

15 (b) The registrar receives notice that a judgment of conviction was
16 overturned or vacated pursuant to R.S. 18:171(D) or 171.1(D).

17 (c) The registrar receives ~~when the person appears in the office of the~~
18 ~~registrar and provides~~ documentation from the appropriate correction official
19 showing that ~~such~~ the person is no longer under an order of imprisonment or, if the
20 person is under such an order, that the person has not been incarcerated pursuant to

Proposed law retains present law.

Present law (R.S. 18:176) requires the registrar of voters to suspend the registration of a person who meets the above requirements.

Proposed law retains present law.

To facilitate the suspension process, present law (R.S. 18:171) requires the Dept. of Public Safety and Corrections to submit lists to the Dept. of State identifying individuals who meet the requirements for suspension. The Dept. of State is thereafter required to report the information received from the Dept. of Public Safety and Corrections to the registrar of voters of each parish on no less than a quarterly basis.

Proposed law retains present law.

Present law (R.S. 18:171) requires the clerk of court to give written notice of the vacation of a judgment of conviction to the appropriate registrar of voters.

Proposed law retains present law.

Present law (R.S. 18:171.1) requires each U.S. attorney to give written notice to the secretary of state of any felony conviction of a person for which there is an order of imprisonment and for which the person is incarcerated pursuant to the order and notice of the vacation of a judgment of conviction. The secretary of state is thereafter required to send to the registrar of voters of each parish such information regarding persons with a definitive felony conviction and the vacation of a judgment of conviction.

Proposed law retains present law.

Present law (R.S. 18:177) requires a person's registration to be reinstated only when the person appears in the office of the registrar and provides documentation from the appropriate correction official showing that he is no longer subject to suspension. Present law further provides that the required documentation may be provided by mail, facsimile, commercial carrier, or hand delivery only if the person is eligible to participate in the Special Program for Handicapped Voters or the person has submitted current proof of disability to the registrar and otherwise meets certain qualifications related to his disability.

Proposed law repeals present law and instead provides that a person's registration shall be reinstated by the registrar upon any of the following:

- 1) The person is no longer identified on a report provided to the registrar in accordance with present law.
- 2) The registrar receives notice that a judgment of conviction was overturned or vacated in accordance with present law.
- 3) The registrar receives documentation from the appropriate correction official showing that the person is no longer subject to suspension. Further provides that such documentation may be delivered by mail, electronic mail, facsimile, commercial carrier, or hand delivery.

(Amends R.S. 18:177(A))