

2025 Regular Session

HOUSE BILL NO. 592

BY REPRESENTATIVE BEAULLIEU

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

ELECTION CODE: Makes revisions to the Louisiana Election Code

1 AN ACT

2 To amend and reenact R.S. 18:2(4), 18(D), 25(B), 104(C)(1)(introductory paragraph),
3 108(A) and (C), 110(B)(introductory paragraph), 111, 154(C)(2)(e), 192(A)(1) and
4 (2), 401.2(A) and (B)(introductory paragraph), (1), (2), and (3), 402(A)(1), (D),
5 (E)(1)(introductory paragraph), and (G)(1), 410.1 through 410.3, 410.4(B), 410.5(A),
6 410.6(B)(1) and (2), 410.7, 410.8, 410.9(A), 425.1, 426(A) and (B),
7 434(A)(introductory paragraph) and (1), 435(A)(4)(b) and (c) and (B)(1), 501(A)(1),
8 (B)(1), and (C), 531(B), 533(A)(2) and (B)(1), 534(A) and (B)(1) and (2)(a), 551(B),
9 (C)(1)(c)(i) and (2), and (D), 553(E)(2), 571(A)(8), 573(E)(1) and (4), 1259(B)(6)
10 and (C), 1279, 1280.21(B), 1285(B)(1)(a), 1286.1, 1299.1, 1300(C)(1),
11 1300.2(C)(2)(b), 1300.7(A), 1300.11, 1306(E)(1)(f), 1307(E), 1309(D)(1)(c) and (d)
12 and (2), (E)(1), (H), and (N)(2), (5), and (7), 1309.1(A), 1313(F), (H)(3), and (K)(1),
13 1313.1(F), (I)(2), and (L)(1), 1315(D)(1), 1333(D)(2) and (E), 1362.1(L), 1363(A)(3)
14 and (4), 1405(C), 1462(F), 1501.3(C)(introductory paragraph), Section 2 of Act No.
15 1 of the 2024 First Extraordinary Session of the Legislature, and Section 5 of Act
16 No. 640 of the 2024 Regular Session of the Legislature, to enact R.S. 18:2(20) and
17 (21), 401.1(H), Part IV of Chapter 6 of Title 18 of the Louisiana Revised Statutes of
18 1950, to be comprised of R.S. 18:1280.31, 1286(C), 1307(L), 1310(E) and (F),
19 1333(D)(3), 1409(K), and 1461.7(E), and to repeal R.S. 18:1280.21(C) and (D),
20 1280.21.1, 1371(A)(2)(c), and Section 2 of Act No. 640 of the 2024 Regular Session

1 of the Legislature, relative to the revision of the system of laws providing for
2 elections; to make revisions to the Louisiana Election Code; to provide for
3 agreements for sharing voter registration information; to provide for the annual
4 report of the State Board of Election Supervisors; to provide for affidavits and
5 attestations; to provide for the reinstatement of voter registration; to provide for
6 name changes; to provide for address data in connection with the annual canvass of
7 registered voters; to provide for the effectiveness of a change in voter registration;
8 to provide for duties of the clerk of court; to provide for perjury for false statements
9 made in an attestation and criminal penalties therefore; to provide for polling places
10 during a state of emergency; to provide for consolidation of polling places; to
11 provide for election dates and the calculation of days related thereto; to provide for
12 commissioner qualifications and selection; to provide for alternate political party
13 super watchers; to provide for ballot arrangement; to provide for voting in the
14 presidential preference primary election; to provide for testing of voting machines;
15 to provide for replacement absentee by mail ballots; to provide for tabulation and
16 counting of absentee by mail and early voting ballots; to provide for the validity of
17 ballots deemed challenged; to provide for address confirmation for nursing home
18 early voting program participants; to provide for the allocation of voting machines;
19 to provide for the requirements of the secretary of state related to an objection to
20 candidacy; to provide for actions contesting an election on a proposed constitutional
21 amendment; to provide for the preparation of a question or proposition to be
22 submitted to voters; to provide for the filling of vacancies in closed party primary
23 offices; to provide for emergency elections; to provide for closed party primary
24 ballot selection by an unaffiliated voter; to provide for procedural requirements as
25 they relate to closed party primary elections; to provide for the effectiveness of Act
26 No. 1 of the 2024 First Extraordinary Session of the Legislature and Act No. 640 of
27 the 2024 Regular Session of the Legislature and specific provisions thereof; to
28 provide for definitions; to correct terminology; and to provide for related matters.

1 Be it enacted by the Legislature of Louisiana:

2 Section 1. R.S. 18:2(4), 18(D), 25(B), 104(C)(1)(introductory paragraph), 108(A)
3 and (C), 111, 154(C)(2)(e), 192(A)(1) and (2), 401.2(A) and (B)(1), (2), and (3),
4 402(E)(1)(introductory paragraph), and (G)(1), 425.1, 426(A) and (B), 434(A)(introductory
5 paragraph) and (1), 435(A)(4)(b) and (c), 531(B), 533(A)(2) and (B)(1), 534(A) and (B)(1)
6 and (2)(a), 553(E)(2), 571(A)(8), 573(E)(1) and (4), 1259(B)(6) and (C), 1280.21(B),
7 1285(B)(1)(a), 1286.1, 1299.1, 1300(C)(1), 1300.2(C)(2)(b), 1300.7(A), 1300.11,
8 1306(E)(1)(f), 1309(D)(1)(c) and (d) and (2), (E)(1), (H), and (N)(2), 1309.1(A), 1313(F),
9 (H)(3), and (K)(1), 1313.1(F), (I)(2), and (L)(1), 1315(D)(1), 1333(D)(2) and (E),
10 1362.1(L), 1363(A)(3) and (4), 1405(C), 1462(F), and 1501.3(C)(introductory paragraph)
11 are hereby amended and reenacted and R.S. 18:2(20) and (21), Part IV of Chapter 6 of Title
12 18 of the Louisiana Revised Statutes of 1950, comprised of R.S. 18:1280.31, 1286(C),
13 1310(E), 1333(D)(3), 1409(K), and 1461.7(E) are hereby enacted to read as follows:

14 §2. Definitions

15 As used in this Code, the following words and terms shall have the meanings
16 hereinafter ascribed to each, unless the context clearly indicates another meaning:

17 * * *

18 (4) "Immediate family" means the individual's children, the spouses of his
19 children, his brothers and their spouses, his sisters and their spouses, his parents, his
20 spouse, ~~and the parents of his spouse,~~ his grandparents, and his grandchildren.

21 * * *

22 (20) "Affidavit" means an oath or affirmation signed by the affiant before
23 a notary public, or before a commissioner-in-charge, commissioner, registrar of
24 voters, deputy registrar of voters, early voting commissioner, or secretary of state
25 election staff, as specifically required in this Title.

26 (21) "Attestation" means an oath or affirmation signed by the person making
27 the oath or affirmation.

28 * * *

§18. Secretary of state; powers and duties

* * *

D. The secretary of state may enter into cooperative agreements with other states or the Electronic Registration Information Center written agreements with state and federal governmental agencies and private vendors that provide voter registration eligibility or address data to share voter registration information or data for purposes of ~~determining whether a voter is registered in more than one state and for the~~ voter list maintenance of the state voter registration computer system. The secretary of state shall include in any such cooperative agreement a provision for the privacy of the information or data that complies fully with applicable state and federal law.

* * *

§25. Annual reports

* * *

B. The board shall annually report to the House and Governmental Affairs Committee of the House of Representatives and the Senate and Governmental Affairs Committee of the Senate its findings, observations, and recommendations concerning all aspects of elections in this state. The report shall be submitted no later than ~~January thirty-first each year~~ forty-five days prior to the start of each regular session of the legislature, and shall include but shall not be limited to the following subjects: election laws in general, registration procedures, election procedures, election officials, voting machines, tabulation and transmission of election returns, procedures used for casting and counting absentee by mail and early voting ballots, and any other aspect of elections the board deems appropriate.

* * *

§104. Application for registration; form

* * *

C.(1) The form shall inform the applicant of the penalty for violation of applicable laws relating to registration of voters and shall contain an affidavit

1 attestation to be subscribed, through a handwritten signature, attesting to each of the
2 following:

3 * * *

4 §108. Prior registration; surrender of ~~certificate or~~ notice of registration before new
5 registration; change of place of registration

6 A. If the registrant's application indicates that the applicant previously
7 registered as a voter in any other parish, and if the previous ~~voter registration~~
8 ~~certificate or~~ notice of registration is available, then before making a new registration
9 the registrar shall require the applicant to surrender his previous ~~certificate or~~ notice
10 for cancellation. The registrar shall promptly notify the registrar of the parish in
11 which the applicant has registered previously, through the statewide voter
12 registration system, of the present registration. The other registrar shall verify the
13 cancellation of the voter's registration in the other parish; however, the cancellation
14 shall not be made as long as the registrant has the right to vote in the parish of his
15 former residence as provided in R.S. 18:110(C).

16 * * *

17 C. For any voter whose registration has been canceled because the voter has
18 registered in another parish or in another state, if such voter makes application to
19 register in the parish in which he was previously registered to vote ~~within three years~~
20 ~~after the cancellation of his registration in that parish~~, and the registrar determines
21 that he is qualified to register to vote in that parish, the voter's information in the
22 statewide voter registration system from his previous registration shall be reinstated,
23 except that any necessary changes shall be made to such information, including but
24 not limited to the voter's new address, and he shall receive an updated ~~certificate or~~
25 notice of registration.

26 * * *

27 §111. Change of name or signature; married persons

28 A. In order to remain a legal registrant, a person who changes his name by
29 virtue of a judgment of court shall produce in the presence of or, if required, file with

1 the registrar or any person authorized to accept voter registration applications a
2 certified copy of the judgment, his Louisiana driver's license number, Louisiana
3 special identification card number, or social security number, or his affidavit
4 attestation setting forth the pertinent facts containing the change of name.

5 B. A married ~~woman, at her option,~~ person may be registered ~~in her maiden~~
6 ~~name, her present husband's name,~~ using the surname of either or both spouses as a
7 surname, or in a hyphenated combination thereof. If divorced, widowed, or
8 remarried, ~~she~~ the applicant may be registered ~~in her maiden name~~ using his
9 surname, in the surname of ~~her~~ the deceased or former or present ~~husband~~ spouse,
10 or in a hyphenated combination thereof. ~~A change of name allowed by this~~
11 ~~Subsection shall be made by producing in the presence of the~~ A person who changes
12 his name by virtue of marriage shall submit a voter registration application to the
13 registrar or other person authorized to accept voter registration applications ~~her~~
14 ~~affidavit stating that contains the applicant's social security number, valid Louisiana~~
15 driver's license number or Louisiana special identification card number, or attestation
16 setting forth the name under which ~~she~~ the applicant desires to be registered as
17 allowed by this Section.

18 C. If a registered voter, subsequent to his registration, is no longer capable
19 of signing his name without using a mark, he shall file an ~~affidavit, meeting the~~
20 ~~requirements of R.S. 18:200,~~ attestation with the registrar of voters attesting to that
21 fact and stating the reason for such a change in signature.

22 * * *

23 §154. Records open to inspection; copying; exceptions

24 * * *

25 C.

26 * * *

27 (2)

28 * * *

1 (e) The provisions of Paragraph (1) of this Subsection shall not apply to
2 voter registration information or data transmitted to a state or ~~the Electronic~~
3 ~~Registration Information Center~~ federal governmental agency or private vendor to
4 provide voter registration eligibility or address data pursuant to a written agreement
5 for purposes of ~~determining whether a voter is registered to vote in more than one~~
6 ~~state and for the~~ voter list maintenance of the state voter registration computer
7 system.

8 * * *

9 §192. Annual canvass; costs

10 A.(1) No later than June thirtieth, the registrar of voters of each parish in
11 conjunction with the Department of State shall annually canvass the names of the
12 registrants in all precincts in the parish. Failure of the registrar to conduct an annual
13 canvass as provided in this Subsection shall constitute willful misconduct relating
14 to his official duty for the purposes of R.S. 18:53. The Department of State shall use
15 ~~the United States Postal Service or its licensee~~ address data obtained pursuant to a
16 written agreement from another state or federal governmental agency or private
17 vendor that provides voter registration eligibility or address data to verify the names
18 and addresses of the registrants in all precincts in the state. A verification ~~by the~~
19 ~~United States Postal Service or its licensee~~ of address data shall constitute a valid
20 canvass of the registered voter.

21 (2) In conducting the verification, if ~~the United States Postal Service or its~~
22 ~~licensee provides~~ the obtained address data indicates a corrected address, the
23 Department of State shall furnish the corrected address to the appropriate registrar
24 of voters. Upon receiving a corrected address inside the parish, either the
25 Department of State or the registrar of voters shall update the voter's address on the
26 statewide registration system and mail a new voter information card to the voter
27 using the corrected address provided and an address confirmation notice as provided
28 in R.S. 18:193. If the new voter information card using the corrected address is
29 returned to the registrar and the voter has failed to return the address confirmation

1 notice, the registrar shall consider the address not corrected. The registrar shall
2 change his records to reflect the prior address on file for that voter. If the corrected
3 address is outside of the parish, the registrar of voters shall not make the change on
4 his records and shall send an address confirmation notice as provided in R.S. 18:193.

5 * * *

6 §401.2. ~~Relocation of~~ Change to polling places; state of emergency

7 A. Notwithstanding the provisions of R.S. 18:~~425.1~~, 534, 535, 536, ~~and~~ 537,
8 1286, and 1286.1, if any polling place is determined by the clerk of court in
9 conjunction with the secretary of state to be destroyed, inaccessible, or unsafe due
10 to an emergency or common disaster occurring before or during a regularly
11 scheduled or special election, the secretary of state may issue a certification of a state
12 of emergency allowing the relocation, or other change, of any such polling place,
13 including consolidation of polling places or providing for multiple polling places in
14 a precinct, when such action would allow voting to continue without the necessity
15 of the issuance of an executive order by the governor for a suspension or delay
16 pursuant to R.S. 18:401.1(B). Upon issuance of such a certification, the clerk of
17 court and the presiding officer of the parish governing authority shall ~~relocate~~
18 implement the necessary change for any such polling place. ~~The~~ If relocated, the
19 polling place shall be relocated to the nearest feasible and accessible location as
20 determined by the secretary of state, upon the recommendation of the clerk of court
21 in conjunction with the presiding officer of the parish governing authority.

22 B. When a polling place is ~~relocated~~ changed pursuant to Subsection A of
23 this Section, the clerk of court in conjunction with the secretary of state shall give
24 adequate notice of the change of the location to each voter registered to vote at that
25 polling place and to each candidate to be voted on at that polling place, if practicable,
26 in the following manner:

27 (1) Each candidate shall be given immediate notice by telephone or by
28 electronic means, and by certified mail where reasonable time exists, of the new
29 location of any polling places ~~that have been relocated~~.

(2) A sign shall be posted at any former polling place directing voters to the new location of the polling place, if applicable and practicable.

(3) An employee of the parish governing authority shall be stationed at any former polling place, if applicable and practicable, for the purpose of directing potential voters to the new location of the polling place. Such employee shall be required to take the constitutional oath or affirmation. The clerk of court shall administer the oath.

* * *

§402. Dates of primary and general elections

* * *

E. Special elections to fill newly created office or vacancy in office. An election to fill a newly created office or vacancy in an existing office, except the office of representative in congress, shall be held on the dates fixed by the appropriate authority in the proclamation ordering a special election as follows:

(1) A special primary election shall be held on the first of the following days that is after the date on which the proclamation calling the special primary election was issued, provided that the proclamation was issued at least four weeks prior to the opening of the qualifying period for the special primary election. If this deadline falls on a Saturday, Sunday, or legal holiday, then the deadline shall be the following day which is not a Saturday, Sunday, or legal holiday:

* * *

G. Prohibited days. (1) No election of any kind shall be held in this state on any of the days of Rosh Hashana, Yom Kippur, Sukkot, Shemini Atzeret, Simchat Torah, the first two days and the last two days of Passover, Shavuot, Tish'a B'Av, the two days preceding Labor Day, ~~or the three days preceding Easter,~~ or the three days following Thanksgiving Day. If the date of any election falls on any of the above-named days, the election shall be held on the same ~~weekday~~ day of the preceding week.

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(2)(a) No person shall be selected as a commissioner in a precinct in which a member of his immediate family is a candidate for election to public office.

(b) No person who has been convicted of an election offense enumerated in Chapter 10 of this Title shall be selected as an alternate commissioner.

(c) No person who is required to register as a sex offender or child predator pursuant to R.S. 15:542 may be selected as an alternate commissioner.

(3) A person shall not be selected as an alternate commissioner unless he has attended a course of instruction for commissioners, has received a certificate of instruction during the term of office of the clerk who conducted the course, and has provided his correct party affiliation to the clerk.

(4) A person who is at least seventeen years of age, under the age of eighteen, and is not a qualified voter but is otherwise qualified to serve as an alternate commissioner pursuant to this Subsection may be selected to serve as an alternate commissioner in any precinct of the ward where he may register to vote pursuant to R.S. 18:101(A), provided that the person is enrolled in the twelfth grade of any Louisiana public high school or state-approved nonpublic high school or is participating at the twelfth grade level in a home study program approved by the State Board of Elementary and Secondary Education. An alternate commissioner shall meet the same qualifications of a commissioner as provided in R.S. 18:425(B).

B. Powers and duties. An alternate commissioner who replaces an absent or unqualified commissioner shall have the same powers and duties and shall possess the same qualifications as a commissioner. ~~An alternate commissioner who does not replace a commissioner shall have the same powers and duties as a watcher.~~

* * *

§434. Commissioners and alternate commissioners; selection; commission; disqualification; replacement

A. ~~Time and place of~~ Meeting to conduct selection. (1) The parish board of election supervisors shall meet at 10:00 a.m. ~~on the twenty-ninth day before a primary election~~ on the second day after the close of the registration records

1 provided in R.S. 18:135(A) to select the commissioners and alternate commissioners
2 for each precinct. ~~However, if the deadline for the close of the registration records~~
3 ~~provided in R.S. 18:135(A)(1) is moved due to a legal holiday, the meeting to select~~
4 ~~commissioners and alternate commissioners for each precinct shall be moved to the~~
5 ~~day after the close of the registration records. If the second day after the close of the~~
6 ~~registration records falls on a legal holiday, the board shall select commissioners and~~
7 ~~alternate commissioners on the first day after such holiday that is not a Saturday,~~
8 ~~Sunday, or other legal holiday.~~ The meeting shall be open to the public. The board
9 shall have previously posted a notice on the front courthouse door designating the
10 location within the courthouse where the meeting is to be held.

11 * * *

12 §435. Watchers; appointment and commission

13 A.

14 * * *

15 (4)

16 * * *

17 (b)(i) In a parish with fewer than fifty thousand registered voters, the parish
18 executive committee of the recognized political party may designate one political
19 party super watcher and one alternate political party super watcher.

20 (ii) In a parish with fifty thousand or more but fewer than one hundred
21 thousand registered voters, the parish executive committee of the recognized political
22 party may designate two political party super watchers and two alternate political
23 party super watchers.

24 (iii) In a parish with one hundred thousand or more but fewer than one
25 hundred fifty thousand registered voters, the parish executive committee of the
26 recognized political party may designate three political party super watchers and
27 three alternate political party super watchers.

28 (iv) In a parish with one hundred fifty thousand or more but fewer than two
29 hundred thousand registered voters, the parish executive committee of the recognized

political party may designate four political party super watchers and four alternate political party super watchers.

(v) In a parish with two hundred thousand or more registered voters, the parish executive committee of the recognized political party may designate five political party super watchers and five alternate political party super watchers.

(c) Each political party super watcher shall have the qualifications, powers, and duties of watchers provided for by R.S. 18:427 and shall be admitted as a watcher in every precinct in the designated parish where a candidate affiliated with his political party is on the ballot, except that not more than one political party super watcher may serve at a single precinct at the same time. Both a political party super watcher and an alternate political party super watcher may serve on election day, except that the political party super watcher and alternate political party super watcher may not serve at the same time and no more political party super watchers and alternate political party super watchers may serve at one time than the number of political party super watchers allowed in Subparagraph (b) of this Paragraph.

* * *

§531. Places for voting in primary and general elections

* * *

B. Notwithstanding the provisions of any law to the contrary, whenever the polling place to which a voter is assigned is inaccessible to him by reason of a physical disability, the voter may cast his vote at the polling place nearest the precinct at which he is registered which is accessible to the voter, provided such polling place is within the same congressional, senatorial, representative, school board, police jury, councilmanic and all other districts as the precinct at which he is registered. To be permitted to cast his vote at another precinct polling place, the voter, not less than ten days before the election, shall produce satisfactory evidence of his disability to the registrar of voters in the parish in which he is registered. If, in the opinion of the registrar, the voter, due to the physical disability, is unable to cast his vote at the polling place for the precinct in which he is registered, the

1 registrar shall issue to the voter special authorization to cast his vote at another
2 specifically named precinct polling place as provided in this Section and shall
3 transfer the registration certificate of such voter to that precinct. The authorization
4 so issued shall be shown by the voter to the commissioners at the polling place. The
5 right of a voter to cast his vote in a precinct within the ward and district other than
6 the one in which he is registered shall remain effective for subsequent elections until
7 the voter no longer is in need of the right to vote in another precinct. The voter shall
8 notify the registrar of voters immediately if for any reason such need no longer
9 exists.

10 * * *

11 §533. Establishment and location of polling places; responsibility for acts or
12 omissions

13 A. Establishment.

14 * * *

15 (2) The parish governing authority shall, to the extent possible, locate the
16 polling place of multiple precincts in ~~a~~ the same polling location, if it determines
17 after due consideration that to locate ~~multiple polling places~~ the polling places of
18 multiple precincts within the same polling location would be efficient, cost-effective,
19 and convenient to voters.

20 B. Location. (1) Except as otherwise provided in this Subsection, the
21 polling place for a precinct shall be located in the precinct in a suitable public
22 building and all public bodies are hereby required to allow the use of public
23 buildings as ~~voting precincts~~ polling places without cost or charge when the parish
24 governing authority requires it. If no public building is available, then a ~~precinct~~
25 polling place may be located on private property. The parish governing authority
26 shall inform the secretary of state as to whether the parish polling places are located
27 in public buildings or on private property.

28 * * *

1 §534. Change of polling places

2 A. Once the location of a polling place is established, it may only be changed
3 by a vote of the parish governing authority.

4 B.(1) The location of a polling place shall not be changed during the period
5 commencing on the date the qualifying period opens and ending on the date of the
6 general election or, in the case of an election date exclusively for bond, tax, or other
7 propositions or questions, during the period commencing on the forty-sixth day prior
8 to the election and ending on the day of the election unless the ~~polling place~~ location
9 becomes unavailable due to an emergency caused by an act of God or when privately
10 owned property being used as a polling place becomes unavailable through no fault
11 of the governing authority.

12 (2)(a) Notwithstanding the provisions of Subsection A of this Section, if the
13 locations of a polling place becomes unavailable during the period defined in and
14 due to the reasons provided in Paragraph (1) of this Subsection, the parish president
15 may change the location of the polling place. The parish president shall submit
16 written notice of the change as soon as practicable to the secretary of state.

17 * * *

18 §553. Inspection and preparation of voting machines at polling places; precinct
19 registers and supplemental list

20 * * *

21 E. Maintenance of precinct registers on election day.

22 * * *

23 (2) For each name appearing on the list, the commissioners shall write
24 "voted ~~by mail~~ absentee" in the place where the voter usually signs the precinct
25 register and initial the precinct register adjacent thereto.

26 * * *

A. At the termination of voting in a primary or general election, the commissioners shall announce that voting is terminated. The commissioners in the presence of the watchers shall immediately:

* * *

(8) Place one copy of the official election results reports, one copy of the machine certificates, one of the duplicate poll lists, all original executed challenges of voters, all precinct register corrections, all voter identification affidavits, all physical disability affidavits voter assistance forms, any physicians' certificates, any copies of disability documentation, a copy of each completed notation of irregularities form, and any address confirmation notices in the envelope marked "Registrar of Voters", seal it and attach it to the precinct register after the termination of voting, and place a new protective seal on the precinct register.

* * *

§573. Evidence of election results

* * *

E. Transmission and disposition of original challenges, duplicate voters' affidavits, and address confirmation notices. (1) At the opening of the voting machines, the sealed precinct registers shall be immediately returned to the registrar of voters. Upon receipt of the sealed precinct registers, the registrar shall remove any attached original record of challenges of voters made during the election, any precinct register correction affidavits, any voter identification affidavits made pursuant to R.S. 18:562, any address confirmation notices, any ~~physical disability affidavits~~ voter assistance forms, any certificates, any copies of disability documentation, and any completed voter registration applications.

* * *

(4) The registrar shall scan the address confirmation notice, voter identification affidavit, ~~disability documentation~~ voter assistance form, or voter

1 registration application and add it to the voter's record in the state voter registration
2 computer system after processing.

3 * * *

4 §1259. Arrangement of ballot; designation of party candidates

5 * * *

6 B.

7 * * *

8 (6) In preparing the ballots, the secretary of state shall arrange the names of
9 the candidates of recognized political parties alphabetically, according to the names
10 of the parties, followed by the names of the candidates nominated by nominating
11 petitions and by the filing of notices of candidacy, listed alphabetically by the first
12 word of the political principle designated in the notice of candidacy ~~designation of~~
13 ~~political principle.~~

14 C. No candidate nominated other than by a recognized political party shall
15 use the name of any recognized political party in the ~~political or party designation~~
16 political principle designated in the notice of candidacy of such candidate.

17 * * *

18 §1280.21. Presidential preference primary election

19 * * *

20 B. Each elector voting in such election may vote only for a candidate who
21 is affiliated with the same party as the elector, ~~except that the state central committee~~
22 ~~of a recognized political party may allow in its bylaws, electors who are not affiliated~~
23 ~~with any political party to cast a vote on the ballot of such recognized political party.~~

24 * * *

25 PART IV. GENERAL PROVISIONS

26 §1280.31. Definitions

27 As used in this Chapter, "recognized political party" means a political party
28 recognized in this state pursuant to R.S. 18:441.

29 * * *

1 §1285. Notice of election

2 * * *

3 B.(1)(a) Written notice of the election and the certificate required by
4 Subparagraph (b) of this Paragraph shall be transmitted to the secretary of state and
5 each clerk of court and registrar of voters in the area affected by the election. If the
6 election is to be held on a primary election date, then such notice and certificate shall
7 be received by the secretary of state at least four weeks prior to the opening of the
8 qualifying period for the primary election. If this deadline falls on a Saturday,
9 Sunday, or legal holiday, then the deadline shall be the following day which is not
10 a Saturday, Sunday, or legal holiday. If the election is not to be held on a primary
11 election date, then the notice and certificate shall be received by the secretary of state
12 on or before the fifty-fourth day prior to the election. The secretary of state shall not
13 accept any revisions to propositions, including but not limited to changes in title,
14 text, or numerical designations, after the last day for submission of the notice and
15 certificate to the secretary of state, unless prior to the printing of the ballots the
16 revision will correct a typographical error and the revision has been approved by the
17 governing authority that called the proposition election.

18 * * *

19 §1286. Polling places; election officers

20 * * *

21 C. When the number of commissioners for each precinct in an election called
22 on a general election date under the provisions of this Chapter is less than the
23 number of commissioners chosen for the primary election date, the appropriate
24 number of commissioners shall be chosen from the list of commissioners who
25 worked at the precinct for the primary election.

26 * * *

27 §1286.1. Authority to consolidate polling places; reduction of number of voting
28 machines and election officials

29 A. Notwithstanding any provision of R.S. 18:1286(A), when an election
30 called under the provisions of this Chapter is not held at the same time as the election

1 of any public official, in cases where ~~more than one polling place is within the same~~
2 ~~location~~ a single location serves as the polling place of more than one precinct the
3 parish board of election supervisors may consolidate the polling places in that
4 location so that a single polling place may serve each precinct assigned to that
5 location for that election and may reduce the number of voting machines to be used
6 in the election below the number fixed by R.S. 18:1363 and, in such case, shall
7 notify, in accordance with the time line provided in R.S. 18:1363(H), the parish
8 custodian of voting machines and the secretary of state of the number of machines
9 to be prepared and delivered ~~for the polling places so consolidated~~ to the location of
10 the consolidated polling place.

11 B. ~~Whenever~~ When the parish board of election supervisors consolidates
12 polling places as authorized by Subsection A of this Section, it shall appoint a
13 commissioner-in-charge to serve ~~at each such~~ all precincts assigned to the
14 consolidated polling place and may reduce to not less than two the number of
15 commissioners and alternate commissioners to be appointed to serve at ~~each such~~
16 ~~polling place~~ the location of the consolidated polling place.

17 * * *

18 §1299.1. Question or proposition to be voted on; length

19 A. The preparation of a question or proposition to be submitted to the voters
20 at an election shall be the responsibility of the governing authority or other entity
21 calling the election or submitting the question or proposition. The proposition shall
22 be comprised of simple, unbiased, concise, and easily understood language and be
23 in the form of a question. The proposition shall not exceed two hundred words in
24 length and shall not include words that are struck through, underscored, or in
25 boldface type. The governing authority or other entity shall be responsible for
26 ensuring that the proposition is comprised of simple, unbiased, concise, and easily
27 understood language.

28 B. The secretary of state shall be responsible for ensuring that the
29 proposition ~~complies with the requirements of this Section~~ does not exceed two

1 hundred words in length, does not include words that are struck through,
2 underscored, or in boldface type, and is in the form of a question.

3 §1300. Procedures; notice of election; expenses

4 * *

C.(1) When an election is called under the provisions of this Chapter, written notice of the election shall be transmitted to the secretary of state, the commissioner of elections, and each clerk of court and registrar of voters in the area affected by the election. If the election is to be held on a primary election date, then such notice shall be received by the secretary of state at least four weeks prior to the opening of the qualifying period for the primary election. If the election is not to be held on a primary election date, then such notice shall be received by the secretary of state on or before the fifty-fourth day prior to the election. If any of these deadlines fall on a Saturday, Sunday, or legal holiday, then the deadline shall be the following day which is not a Saturday, Sunday, or legal holiday.

15 * * *

16 §1300.2. Petition for recall election; campaign finance disclosure

17 * * *

18 C.

19 * * *

20 (2)

21 * * *

(b) With the recall petition, the chairman shall also submit to the registrar of voters an affidavit verifying the number of signatures submitted along with an attestation a statement that to the best of his knowledge all documents submitted are originals and not photocopies.

26 * * *

27 §1300.7. Governor to order election; proclamation; publication

28 A. If the required number of qualified electors of the voting area sign the
29 petition for recall, the governor shall issue a proclamation ordering an election to be

held for the purpose of voting on the question of the recall of the officer. The total number of registered voters in the voting area and the total number of registered voters in the voting area signing the petition shall be calculated from the totals on the certificates of all of the registrars of voters received by the governor. The governor shall issue such proclamation within fifteen days after he receives the certified petitions from all of the registrars of voters in the voting area who have received petitions for certification. If the final day for the governor to issue the proclamation falls on a Saturday, Sunday, or legal holiday, then the next day which is not a Saturday, Sunday, or legal holiday shall be deemed to be the final day for issuing the proclamation. The proclamation shall order the election to be held on the next available date specified in R.S. 18:402(F). If the election is to be held on a primary election date, the proclamation shall be issued at least four weeks prior to the opening of the qualifying period for the primary election. If the election is not to be held on a primary election date, the proclamation shall be issued on or before the fifty-fourth day prior to the election. If any of these deadlines fall on a Saturday, Sunday, or legal holiday, then the deadline shall be the following day which is not a Saturday, Sunday, or legal holiday.

* * *

§1300.11. Preparation of ballots; marking of ballots

The ballots ~~at recall elections shall be provided and supplied in the same manner as the ballots for general elections, and in accordance with general election laws, except as provided in this Chapter. The top of the ballot shall provide in large capital letters~~ for the election shall appear as follows:

"SPECIAL ELECTION FOR THE RECALL OF (Here state name ~~and~~, title, and election district of the officer whose recall is at issue.)"

~~Then shall follow the number and name of the election district and the location of the polling place. Then shall follow the dates of the election. Then shall follow, in separate lines on the ballot, the following:~~

"FOR the Recall. () _____"

1 AGAINST the Recall. () _____"

2 ~~After the words "FOR the Recall", shall be a blank square, and after the words~~
 3 ~~"AGAINST the Recall", shall be a blank square. The ballot shall provide~~
 4 ~~instructions for voting.~~

5 * * *

6 §1306. Preparation and distribution of absentee by mail and early voting ballots

7 * * *

8 E.(1) The secretary of state shall prepare an absentee by mail certificate, the
 9 content of which is subject to approval of the attorney general. The certificate shall
 10 include but not necessarily be limited to:

11 * * *

12 (f) An ~~affidavit~~ attestation followed by a line for the handwritten signature
 13 or mark of the voter, certifying that the statements made by him are true and correct
 14 and that the voter is aware of the penalties for knowingly making a false statement
 15 therein, which penalties shall be stated on the certificate.

16 * * *

17 §1309. Early voting; verification

18 * * *

19 D.(1)

20 * * *

21 (c) If satisfied that the voter has identified himself as the voter registered in
 22 the state voter registration computer system ~~or named on the precinct register~~ and
 23 that he is qualified to vote, the registrar or his deputy shall initial the ~~precinct register~~
 24 ~~or~~ early voting list register kept by the registrar opposite the voter's signature or
 25 mark. The voter then shall be allowed to vote.

26 (d) A voter who votes without the picture identification required by
 27 Subparagraph (a) of this Paragraph is subject to challenge as provided in R.S.
 28 18:1315.

29 (2) If the voter's name is found in the state voter registration computer

1 system ~~or precinct register~~ on the inactive list of voters, the voter shall be required
2 to complete an address confirmation card to determine his eligibility to vote.

3 E.(1) The voter's identity having been established as provided in Subsection
4 D of this Section, the voter shall sign or make his mark prior to voting in the ~~precinct~~
5 ~~register or~~ early voting register.

6 * * *

7 H. Prior to delivery of the precinct register to the parish custodian, the
8 registrar shall ensure that the precinct register reflects for each voter whether the
9 voter voted during early voting or voted timely absentee by mail using the words
10 "voted ~~by mail~~ absentee" and, if the register was not used during early voting, "voted
11 early" in the signature line for the voter in the precinct register.

12 * * *

13 N.

14 * * *

15 (2) A qualified voter of the state who is not a candidate in the election may
16 serve as an early voting watcher; however, no person who is required to register as
17 a sex offender or child predator pursuant to R.S. 15:542 may serve as a watcher.

18 * * *

19 §1309.1. Preparation of machines for early voting; examination by candidate or his
20 representative; sealing machines

21 A. At the time of qualifying, the parish custodian shall notify each candidate
22 to contact the registrar of voters for the time and place at which the voting machines
23 will be prepared for early voting. The registrar of voters shall post at his office
24 adequate notice of the date, time, and place at which the voting machines will be
25 prepared for early voting and shall post the same information on his office's website,
26 if possible. The candidate or his representative may be present to observe the
27 preparation and testing of the machines by the registrar of voters with the assistance
28 of the secretary of state's technicians and to observe the ~~testing and~~ sealing of the
29 machines by the registrar of voters in the presence of the parish board of election

1 supervisors. Each candidate or his representative shall be afforded a reasonable
2 opportunity to view the test vote tape for each machine to see that they are in the
3 proper condition for use in the election, which opportunity shall not be less than
4 thirty minutes beginning at the time designated by the registrar of voters to begin
5 preparation of the machines for sealing. However, no candidate, representative, or
6 citizen shall interfere with the registrar of voters, secretary of state's technicians,
7 parish board of election supervisors, or any employee or technician or assume any
8 of their duties.

9 * * *

10 §1310. Execution of certificate; marking of ballot; casting vote; assistance

11 * * *

12 E. If a voter is notified by the registrar of voters in his parish of a deficiency
13 on his absentee by mail ballot certificate that must be cured, he may obtain a
14 replacement ballot from the registrar. The registrar may make the ballot available
15 via hand delivery to the voter or an immediate family member of the voter.

16 * * *

17 §1313. Tabulation and counting of absentee by mail and early voting ballots

18 * * *

19 F. The board shall count the absentee by mail and early voting ballots and
20 ~~announce post~~ the results after the closing of the polls as the total number of absentee
21 by mail and early voting votes cast in the election for each candidate and the total
22 number cast for and against each proposition.

23 * * *

24 H. The procedure for counting early voting machine ballots and paper ballots
25 voted during early voting shall be as follows:

26 * * *

27 (3) The board shall ~~announce post~~ the results from each early voting machine
28 results report for the early voting ballots, unless an early voting ballot has been
29 challenged pursuant to R.S. 18:1309(E)(6) or R.S. 18:1315.

30 * * *

1 K.(1) Upon completion of the tabulation and counting of the absentee by
2 mail and early voting ballots, the parish board of election supervisors shall return the
3 absentee by mail and early voting ballots and electronic results report to the special,
4 secure absentee by mail and early voting ballot container; shall seal the container;
5 and shall deliver the container to the registrar of voters. The registrar shall preserve
6 the container and its contents inviolate and, except upon order of a court of
7 competent jurisdiction or at the direction of the secretary of state for the purpose of
8 conducting post-election tabulation audits, shall not allow the absentee by mail and
9 early voting documents to be inspected by anyone until the delay for filing an action
10 contesting the election has lapsed. If an action contesting the election is commenced
11 timely, the registrar shall continue to preserve the container and its contents
12 inviolate, subject to the orders of the court, until the final judgment in the action has
13 become definitive.

14 * * *

15 §1313.1. Preparation, verification, tabulation, and counting of absentee by mail and
16 early voting ballots

17 * * *

18 F. The board shall count the absentee by mail and early voting ballots and
19 ~~announce post~~ the results after the closing of the polls on election day as the total
20 number of absentee by mail and early voting votes cast in the election for each
21 candidate and the total number cast for and against each proposition.

22 * * *

23 I. The procedure for counting early voting machine ballots on election day
24 shall be as follows:

25 * * *

26 (2) The board shall ~~announce post~~ the results from each early voting machine
27 results report for the early voting ballots, unless an early voting ballot has been
28 challenged pursuant to R.S. 18:1309(E)(6) or R.S. 18:1315.

29 * * *

1 L.(1) Upon completion of the tabulation and counting of the absentee by
 2 mail and early voting ballots on election day, the parish board of election supervisors
 3 shall return the absentee by mail and early voting ballots and electronic results report
 4 to the special, secure absentee by mail and early voting ballot container; shall seal
 5 the container; and shall deliver the container to the registrar of voters. The registrar
 6 shall preserve the container and its contents inviolate and, except upon order of a
 7 court of competent jurisdiction or at the direction of the secretary of state for the
 8 purpose of conducting post-election tabulation audits, shall not allow the absentee
 9 by mail and early voting documents to be inspected by anyone until the delay for
 10 filing an action contesting the election has lapsed. If an action contesting the
 11 election is commenced timely, the registrar shall continue to preserve the container
 12 and its contents inviolate, subject to the orders of the court, until the final judgment
 13 in the action has become definitive.

14 * * *

15 §1315. Challenge of absentee by mail or early voting ballot

16 * * *

17 D.(1) During the counting of absentee by mail and early voting ballots, at
 18 least a majority of the members of the board shall hear and determine the validity of
 19 any ballot challenged ~~in accordance with the provisions of~~ pursuant to Subsection A
 20 or B of this Section or deemed challenged pursuant to Subsection C of this Section.

21 * * *

22 §1333. Nursing home early voting program; voting by persons residing in a nursing
 23 home

24 * * *

25 D.

26 * * *

27 (2) An application to vote in the nursing home early voting program that
 28 satisfies the requirements of this Section shall remain valid indefinitely unless the
 29 voter submits a written request to the registrar to be removed from the program, the

1 letter provided for in Subsection E of this Section is returned to the registrar or voters
2 as undeliverable, or the voter no longer resides in the nursing home listed in his
3 application. However, if the voter has become a resident of a different nursing home
4 in the parish and has notified the registrar of voters in writing of the change of
5 nursing home address, his application shall remain valid.

6 (3) If the letter provided for in Subsection E of this Section is returned to the
7 registrar of voters as undeliverable, the registrar shall mail an address confirmation
8 notice to the voter as provided in R.S. 18:198(A).

9 E. The registrar shall notify the applicant by letter, at the return nursing
10 home address shown on the request, the day on which a deputy registrar or other
11 qualified person selected by the registrar will be present at the nursing home to
12 permit the applicant to cast his ballot. The registrar shall assign a number to the
13 applicant which ~~shall be stamped or entered in ink on the upper right side of the letter~~
14 ~~and also shall be entered~~ shall appear in clearly distinguishable figures on the letter
15 and on the absentee by mail ballot envelope that will contain the absentee by mail
16 ballot to be delivered to that applicant on the day designated in the letter. If the letter
17 is mailed by the registrar prior to his receipt of the absentee by mail ballots for the
18 election, the registrar shall enter the name of the applicant; his address, ward, and
19 precinct; and the number assigned to the applicant on a list that the registrar shall
20 keep for the purpose and, upon receipt of the absentee by mail ballots for the
21 election, the registrar shall enter the number on the absentee by mail ballot envelope
22 as provided in this Subsection.

23 * * *

24 §1362.1. Voting System Commission; creation and organization; duties and
25 responsibilities

26 * * *

27 L. Notwithstanding any provision of law to the contrary, the secretary of
28 state shall award no contract for voting systems unless the awarded proposer has
29 provided a sworn affidavit ~~attesting~~ stating that the proposer is not subject to

1 significant ownership or control by a foreign power, and that the proposer is aware
2 that a false ~~attestation~~ statement will be subject to the provisions of R.S. 39:1678 and
3 1679. For purposes of this Subsection, "significant ownership or control by a foreign
4 power" means ownership, equity, or control which equals or exceeds twenty-five
5 percent of the total outstanding ownership, equity, or control of the proposer, and
6 which is exercised directly or indirectly by, or for the express benefit of, the
7 government of a foreign nation, state, or principality, or any instrumentality or
8 subsidiary thereof. The sworn affidavit required pursuant to this Subsection, and all
9 related information, shall be a public record.

10 * * *

11 §1363. Number of machines; allocation to precincts; exception; reserve machines

12 A. In determining the number of voting machines to be purchased and
13 allocated for each voting precinct in each parish or municipality, the minimum
14 number to be allocated shall be as follows:

15 * * *

16 (3) Three machines for each precinct where more than one thousand voters
17 but not more than ~~fourteen~~ eighteen hundred voters were registered to vote thirty
18 days prior to the election.

19 (4) Four machines for each precinct where more than ~~fourteen~~ eighteen
20 hundred voters were registered to vote thirty days prior to the election.

21 * * *

22 §1405. Time for commencement of action

23 * * *

24 C. An action contesting an election on a proposed constitutional amendment
25 shall be instituted no earlier than the day after the election and not later than
26 4:30 p.m. of the tenth day after promulgation of the results of the election by the
27 secretary of state.

28 * * *

29 §1409. Trial; decision; appeal

30 * * *

1 K.(1) Neither the secretary of state nor any employee engaged in the
2 administration of or charged with the custody of any records or files of the
3 Department of State shall be subject to subpoena or otherwise required to appear in
4 court for an objection to candidacy filed pursuant to this Chapter.

5 (2) In lieu of live testimony for any action filed pursuant to this Chapter, a
6 properly executed affidavit issued by the secretary of state or his designee shall serve
7 as sufficient confirmation as to the accuracy of the records and files of the
8 Department of State for such purposes.

9 * * *

10 §1461.7. Miscellaneous election offenses; penalties

11 * * *

12 E. Any person who intentionally makes a false written statement in an
13 attestation required by this Title shall, upon conviction, be guilty of the crime of
14 perjury and subject to the penalty set forth in R.S. 14:123.

15 * * *

16 §1462. Acts prohibited during early voting or on election day; electioneering;
17 intimidation; exceptions; enforcement; penalties

18 * * *

19 F. The duly constituted law enforcement officers of the political subdivision
20 in which any such election is being held shall enforce the provisions of this Section
21 when requested to do so by a clerk of court, registrar, deputy registrar,
22 commissioner-in-charge or commissioner. The clerk of court, registrar, deputy
23 registrars, commissioners-in-charge and commissioners likewise shall enforce the
24 provisions of this Section at the polling places. The law enforcement officers, clerk
25 of court, commissioners-in-charge, commissioners, deputy registrars, and registrar
26 are authorized to seize, remove, and destroy any political cards, signs, pictures, or
27 literature being used or displayed in violation of any of the provisions ~~hereof~~ of this
28 Section.

29 * * *

§1501.3. Gubernatorial transition and inauguration; contribution limits; reports

* * *

C. On or before the sixtieth day after the gubernatorial inauguration and by February fifteenth annually thereafter until all contributions have been expended or used, the governor shall file an all-inclusive report with the supervisory committee. Each report shall be complete through January thirty-first. Each report ~~which~~ shall state:

* * *

Section 2. R.S. 18:192(A)(1), 402(A)(1), (D) and (E)(1), 410.1 through 410.3, 410.4(B), 410.5(A), 410.6(B)(1) and (2), 410.7, 410.8, 410.9(A), 435(B)(1), 501(A)(1), (B)(1), and (C), 551(B), (C)(1)(c)(i) and (2), and (D), 1279, 1285(B)(1)(a), 1307(E), and 1309(N)(5) and (7) are hereby amended and reenacted and R.S. 18:401.1(H), 1307(L), and 1310(F) are hereby enacted to read as follows:

§192. Annual canvass; costs

A.(1) No later than July thirty-first, the registrar of voters of each parish in conjunction with the Department of State shall annually canvass the names of the registrants in all precincts in the parish. Failure of the registrar to conduct an annual canvass as provided in this Subsection shall constitute willful misconduct relating to his official duty for the purposes of R.S. 18:53. The Department of State shall use ~~the United States Postal Service or its licensee~~ 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. A verification ~~by the United States Postal Service or its licensee~~ of address data shall constitute a valid canvass of the registered voter.

* * *

§401.1. Election emergency; purpose; elections emergency contingency plan

* * *

H. For purposes of this Section, a vacancy in a party primary office that may not be filled by appointment, designation, or in accordance with the timeframes

1 required by law shall constitute an emergency. If the vacancy may not be filled in
2 a timely manner in accordance with the election dates provided for in R.S. 18:402,
3 the governor may proclaim a state of emergency for purposes of calling a special
4 election to fill the vacancy. Notwithstanding the provisions of R.S. 18:401.3,
5 following the issuance of the emergency proclamation, the authority required by law
6 to call a special election to fill the vacancy in office shall, in consultation with and
7 with the certification of the secretary of state, issue a proclamation ordering a special
8 election. The proclamation ordering the special election shall include the dates for
9 qualifying, early voting, the primary election, the general election, and at least one
10 party primary election and make all provisions necessary to conduct an election in
11 a timely manner notwithstanding the dates, timing, and delays otherwise provided
12 by this Code.

13 * * *

14 §402. Dates of primary and general elections; prohibited election days

15 A. Prohibited election days. (1) No election of any kind shall be held in this
16 state on any of the days of Rosh Hashanah, Yom Kippur, Sukkot, Shemini Atzeret,
17 Simchat Torah, the first two days and the last two days of Passover, Shavuot, Tish'a
18 B'Av, the two days preceding Labor Day, ~~or the three days preceding Easter, or the~~
19 three days following Thanksgiving Day. If the date of any fall election falls on any
20 of the above-named days, the election shall be held on the same weekday of the
21 preceding week. If the date of any spring election falls on any of the above-named
22 days, the election shall be held on the same ~~weekday~~ day of the following week.

23 * * *

24 D. Odd-numbered year election dates in a nongubernatorial election year.

25 (1) Spring elections. (a) There shall be a spring primary election held on the
26 third Saturday in April for municipal and ward officers elected in the spring of a
27 nongubernatorial election year. This date shall also serve as the first party primary
28 election for a special election called to fill a vacancy in a party primary office.

29 (b) There shall be a spring election held on the sixth Saturday after the third

1 Saturday in April which shall be a general election for municipal and ward officers
2 elected in the spring of a nongubernatorial election year. This date shall also serve
3 as the second party primary election, if necessary, for a special election called to fill
4 a vacancy in a party primary office.

5 (2) Fall elections. (a) There shall be a fall primary election held on the
6 second Saturday in October for parochial and municipal officers in a parish
7 containing a municipality with a population of three hundred thousand or more. This
8 date shall serve as the general election for a special election called to fill a vacancy
9 in a party primary office.

10 (b) There shall be a fall general election held on the sixth Saturday after the
11 second Saturday in October of an election year.

12 E.(1) Special elections to fill newly created offices or vacancies in office
13 shall be held on dates fixed by the appropriate authority in the proclamation issued
14 in accordance with law. For an election to fill a vacancy, the dates fixed in the
15 proclamation shall be limited to the dates for primary elections and general elections
16 established in Subsections B, C, and D of this Section. Except as otherwise provided
17 by law, a special primary election shall be held on the first of the election dates
18 established in this Section that is after the date on which the proclamation calling the
19 special primary election is issued, provided that the proclamation is issued at least
20 four weeks prior to the opening of the qualifying period for the special primary
21 election. If this deadline falls on a Saturday, Sunday, or legal holiday, then the
22 deadline shall be the following day which is not a Saturday, Sunday, or legal holiday.

23 The authority issuing the proclamation shall consult with the secretary of state in the
24 establishment of a qualifying period and election dates for special elections.

25 * * *

26 §410.1. Party primary elections

27 Party primary elections for party primary offices as defined in R.S. 18:2 shall
28 be held pursuant to this Part, and any provision of this Code in conflict with these
29 provisions shall not be applicable to elections for party primary offices. Any

1 provision of this Code that is not in conflict with these provisions shall be applicable
2 to these elections unless the context clearly indicates otherwise. For purposes of this
3 Part, the phrase "~~recognized~~ major political party" shall mean a political party
4 recognized pursuant to R.S. 18:441(C).

5 §410.2. Party primary office; party primary qualifications

6 ~~Recognized~~ Major political parties shall make nominations of candidates for
7 party primary office as provided in this Part. Only candidates affiliated with a
8 ~~recognized~~ major political party may participate in the party primary election of the
9 political party of the candidate's party affiliation.

10 §410.3. Purpose and nature of party primary elections

11 A. For general elections, political parties shall make all nominations of
12 candidates for party primary office by direct primary elections held pursuant to this
13 Part. In party primary elections, each voter voting in such election may vote only for
14 a candidate who is affiliated with the same party as the voter.

15 B. Voters not affiliated with a political party may vote in a ~~recognized~~ major
16 party primary if a party primary ballot is selected by the voter prior to casting his
17 ballot, but such a voter may vote only in one ~~recognized~~ major party primary. If an
18 unaffiliated voter chooses to vote in the first party primary of one political party, the
19 unaffiliated voter shall not vote in the second party primary of another political
20 party.

21 §410.4. Manner of qualifying for a party primary election

22 * * *

23 B. A person who desires to become a candidate in a party primary election
24 shall be affiliated with a ~~recognized~~ major political party. A person may qualify as
25 a candidate only in a party primary election of the party with which he is affiliated
26 as shown on his voter registration at the time of qualifying for that office. No
27 candidate shall change his political party affiliation after he has qualified for an
28 election until the deadline for an election contest has passed.

§410.5. Nominating petitions

A. A person may be nominated as a candidate in a party primary election only by persons who are affiliated with the same ~~recognized~~ major political party, who are qualified to vote on the office he seeks, and who sign a nominating petition for him no more than one hundred twenty days before the qualifying period opens for candidates in the party primary election. The registrar of voters shall reject any signature on a nominating petition not in compliance with this Section.

* * *

§410.6. Death of a candidate; procedure; selection of party nominee

* * *

B.(1) If as the result of the death of a candidate in a party primary election, a ~~recognized~~ major political party has no party nominee qualified for the general election, the ~~recognized~~ major political party shall select, in the manner provided in its bylaws, the party nominee who shall meet all of the qualifications for the party primary office.

(2) The chairman of the state central committee of the ~~recognized~~ major political party shall transmit an attestation to the secretary of state containing the name of the party nominee, the signature of the chairman of the state central committee, the signature of the party nominee, and any other information required by the form of the attestation prescribed by the secretary of state. The attestation shall be filed as soon as possible after the death of the party's candidate, but no later than noon on the seventh day prior to the general election day. If the attestation is received no later than 4:30 p.m. on the seventh day after the close of the qualifying period for nonparty primary offices for the fall primary election, the secretary of state shall print the name of the selected party nominee on the ballot. If the attestation is filed in accordance with this Paragraph, but the name of the selected party nominee is not placed on the ballot, there shall be a notice regarding the selected party nominee posted at each polling place and on the website of the secretary of state. If the selected party nominee's name is not placed on the ballot,

1 all votes cast for the party's deceased candidate shall be attributed to the party
2 nominee.

3 * * *

4 §410.7. Party candidates who qualify for a general election

5 A. The candidate who receives the majority of votes in the party primary
6 qualifies for the general election as the party's nominee for the office. All candidate
7 nominations for a party primary office by ~~recognized~~ major political parties for the
8 general election shall be made in this manner, except as otherwise provided in R.S.
9 18:410.6(B).

10 B.(1) In the event that no candidate receives the majority of votes in the first
11 party primary, the two candidates from each political party who received the greatest
12 number of votes in the first party primary shall be voted on in the second party
13 primary.

14 ~~(1)~~ (2) In the case of a tie vote for first place in the first party primary of a
15 ~~recognized~~ major political party, all of the candidates affiliated with the same
16 political party who received the same highest number of votes qualify for the second
17 party primary.

18 ~~(2)~~ (3) In the case of a tie vote for second place in the first party primary of
19 a ~~recognized~~ major political party, all of the candidates affiliated with the same
20 political party who received the same second highest number of votes and the
21 candidate affiliated with the same political party who received the highest number
22 of votes qualify for the second party primary.

23 ~~(3)~~ (4) If one of the persons receiving the highest number of votes in the first
24 party primary withdraws his candidacy, dies, or is otherwise disqualified, thereby
25 leaving only one candidate from the same political party in the race, the remaining
26 candidate who has received the highest number of votes for the office for which he
27 was a candidate shall be declared the nominee of the party.

28 C. There shall be no third party primary. In the case of a tie vote in the
29 second party primary of a ~~recognized~~ major political party, none of the candidates

1 qualify as the party nominee for the general election, and the party nominee shall
2 be selected by a public drawing of lots conducted by the State Board of Election
3 Supervisors from among the candidates who received the highest number of votes
4 in the second party primary election. The public drawing of lots shall be conducted
5 at the state capitol on a day and at a time fixed by the board within one week after
6 the results of the election become official. The candidates involved shall be given
7 at least three days' written notice of the time and place of the public drawing of lots.

8 §410.8. Candidates not affiliated with a ~~recognized~~ major political party; qualifying
9 for the general election

10 A. Any person who desires to become a candidate in a general election for
11 a party primary office and who is not registered as being affiliated with a ~~recognized~~
12 major political party shall file his notice of candidacy, which shall be accompanied
13 by a nominating petition as provided in R.S. 18:465, with the appropriate qualifying
14 official during the qualifying period established for the party primary election. The
15 number of signatures required on such a nominating petition shall be as set forth in
16 R.S. 18:465.

17 B. A person filing a notice of candidacy as provided in Subsection A of this
18 Section may be nominated only by persons who are qualified to vote on the office
19 he seeks, who sign a nominating petition for him, and who are not affiliated with a
20 ~~recognized~~ major political party. The registrar of voters shall reject any signature
21 on a nominating petition not in compliance with this Subsection.

22 §410.9. Nomination of candidates in a party primary election; general election;
23 unopposed candidate

24 A. If, after the close of the qualifying period for candidates in a party
25 primary election, only one candidate qualified for the ~~recognized~~ major political
26 party or only one candidate for the ~~recognized~~ major political party remains after the
27 withdrawal of one or more candidates, the candidate is declared the nominee of the
28 party, and his name shall not appear on the ballot in a party primary election but shall
29 be on the ballot for the general election. If a party primary election ballot was

1 printed with the name of a candidate who withdrew on it, any votes received by a
2 candidate who withdrew shall be void and shall not be counted for any purpose
3 whatsoever.

4 * * *

5 §435. Watchers; appointment and commission

6 * * *

7 B.(1)(a) A list of watchers shall be filed with the clerk of court by hand
8 delivery, facsimile, mail, or commercial courier before 4:30 p.m. on the tenth
9 business day before the party primary, primary₂ or general election; however, if the
10 tenth business day before the party primary, primary₂ or general election falls on a
11 Saturday, Sunday, or other legal holiday, the list shall be filed on the next day which
12 is not a Saturday, Sunday, or other legal holiday. For purposes of this Paragraph,
13 "commercial courier" shall have the same meaning as provided in R.S. 13:3204(D).
14 If the office that the candidate seeks is voted on in more than one parish, a list of
15 watchers shall be filed with the clerk of court in each parish where the candidate will
16 have watchers.

17 (b) A list of watchers submitted by a candidate for the party primary or
18 primary election may be used for the second party primary, primary, or general
19 election only if the candidate notifies the clerk of court in writing by 4:30 p.m. on
20 the tenth business day before the general election that he wants to use the same list
21 of watchers.

22 (c) A list of political party super watchers submitted by a party for the party
23 primary or primary election may be used for the second party primary, primary, or
24 general election only if the chairman of the parish executive committee or the state
25 central committee of the party notifies the clerk of court in writing by 4:30 p.m. on
26 the tenth business day before the general election that the chairman wants to use the
27 same list of political party super watchers.

28 * * *

1 §501. Procedure for withdrawal

2 A.(1)(a) A candidate in a primary election may withdraw from the election
3 by filing notice of his withdrawal with the secretary of state prior to 4:30 p.m. on the
4 seventh day after the close of the qualifying period.

5 (b) A candidate in a first party primary election may withdraw from the
6 election by filing notice of his withdrawal with the secretary of state prior to 4:30
7 p.m. on the seventh day after the close of the qualifying period.

8 (c) The notice of withdrawal shall be signed by the candidate and duly
9 acknowledged by him before an officer authorized to administer oaths.

10 * * *

11 B.(1)(a) A candidate in a general election may withdraw from the election
12 by filing notice of his withdrawal with the secretary of state prior to 4:30 p.m. on the
13 ninth day after the date of the primary election.

14 (b) A candidate in a general election for a party primary office may withdraw
15 from the election by filing notice of his withdrawal with the secretary of state prior
16 to 4:30 p.m. on the ninth day after the second party primary election date, regardless
17 of whether a second party primary election is held.

18 (c) The notice of withdrawal shall be signed by the candidate and duly
19 acknowledged by him before an officer authorized to administer oaths.

20 * * *

21 C. Notwithstanding the provisions of Subsections A and B of this Section,
22 if the number of candidates remaining in a primary election, second party primary
23 election, or general election for a public office is one more than the number of
24 persons to be elected to the office, the secretary of state shall accept a notice of
25 withdrawal that is filed prior to 4:30 p.m. on the second day prior to the ~~election~~ first
26 day of early voting. The candidate or candidates remaining after the withdrawal
27 shall be declared elected by the people.

28 * * *

§551. Ballots

* * *

B. Titles of offices. (1) In any primary election for a party primary office, the parties shall be arranged alphabetically, and under such party affiliation, the titles of the party primary offices to be voted on shall be listed in the order provided in Paragraph (2) of this Subsection. The names of the candidates for each party primary office shall be listed alphabetically by surname within each party and printed below the title of the party primary office.

(2) Below any party primary offices, the The titles of the offices to be voted on in a primary or general election shall be listed on the ballot in capital letters in the following order:

(a) President and vice president.

(b) Presidential nominees in a presidential preference primary. If an election for presidential nominees in a presidential preference primary appears on the same ballot with an election for a party primary office, the secretary of state may place the presidential nominees above the party primary office candidates of the same party.

(c) State offices--governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, United States senator, United States representative, justice of the supreme court, judge of a court of appeal, member of the public service commission, member of another state board or commission, and any other state office.

(d) Local offices--state senator, state representative, district judge, district attorney, judge of a parish court, sheriff, clerk of court, assessor, coroner, police juror, judge and marshal of a city court, member of a school board, member of other local boards and commissions, justice of the peace, and other local offices.

(e) Municipal offices--mayor, chief of police or marshal, alderman or member of a city council, member of a municipal board or commission, and other municipal offices.

(f) Political party offices--member of a state central committee, member-at-

1 large of a parish executive committee, and member of a parish executive committee
 2 from a political subdivision. If an election for a political party office appears on the
 3 same ballot with an election for presidential nominees in a presidential preference
 4 primary election, the secretary of state may place the political party office
 5 ~~immediately following the office of presidential nominees of the same political party~~
 6 after party primary offices or after all other offices.

7 ~~(2)~~ (3) When a special election to fill a newly created office or a vacancy in
 8 an existing office is held at the same time as a regularly scheduled election, the
 9 secretary of state may list the titles of the offices to be voted on in the special
 10 election at the end of the ballot. However, when the geographic area of an office in
 11 the regularly scheduled election and in the special election are the same and when
 12 the candidates in the regularly scheduled election and in the special election for such
 13 office are the same, the title of the office and the names of the candidates shall
 14 appear only once on the ballot as provided in this Section and the ballot shall state
 15 that the election is being held to fill both the vacancy and the full term for the office.
 16 Each elector shall cast the same vote for both the regular and the special election for
 17 the office, and the candidates who qualify for the general election shall qualify for
 18 the general election for both the regular and the special election for the office, and
 19 the candidate who is elected shall be elected to fill both the vacancy and the full term
 20 for the office.

21 ~~(3)~~ (4) The titles of offices not specifically provided for in this Section shall
 22 be listed on the ballot in the order determined by the secretary of state.

23 C. Names and numbers of candidates. The names of the candidates in a
 24 primary or general election shall be listed on the ballot as follows:

25 (1)

26 * * *

27 (c)(i) The names of the candidates for each office shall be arranged
 28 alphabetically by surname and shall be listed below the title of the office, ~~in smaller~~
 29 ~~capital letters.~~ The names of the candidates shall be numbered from first to last.

1 Once the secretary of state has assigned numbers to the candidates on the primary
2 election ballot, the numbers shall not be changed.

3 * * *

4 (2) In a general election only the names of the candidates who qualified for
5 election shall be listed on the ballot, and the names shall be listed in the same form
6 as they were listed on the ballot for the primary election. The names of candidates
7 who were elected in the primary election shall not be listed on the ballot. The names
8 of the candidates for each office shall be arranged alphabetically by surname, and
9 shall be listed below the title of the office, ~~in smaller capital letters~~. The names of
10 the candidates shall be given the same number assigned to them on the primary
11 election ballot.

12 D. Political party designation. (1) The political party designation of a
13 candidate who is registered as being affiliated with a recognized political party shall
14 be listed on the primary or general election ballot on the same line and immediately
15 after or below the candidate's name. If a candidate is affiliated with a political party,
16 but such party is not a recognized political party, the word "other" shall be placed
17 after his name. If a candidate is not affiliated with any political party, the words "no
18 party" or an abbreviation thereof shall be placed after his name. The secretary of
19 state shall promulgate and adopt rules as necessary to effectuate the provisions and
20 purposes of this Subsection.

21 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the
22 political party designation of a candidate in a party primary election shall appear on
23 the ballot according to Paragraph (B)(1) of this Section.

24 * * *

25 §1279. Vacancies; representatives in congress

26 When a vacancy occurs in the office of representative in congress, the
27 governor shall determine the dates on which the special elections shall be held and
28 the dates of the qualifying period in accordance with R.S. 18:402 and shall issue a
29 proclamation ordering a special election and specifying the dates on which the first
30 party primary, second primary, if necessary, and general elections will be held and

1 the dates of the qualifying period for the election. Within twenty-four hours after
2 issuing the proclamation, the governor shall send a copy of the proclamation to the
3 secretary of state, who shall within twenty-four hours of receipt of the information
4 notify all election officials having any duty to perform in connection with a special
5 election to fill such vacancy, including the parish boards of election supervisors for
6 the parish or parishes in which the vacancy occurred. Immediately thereafter the
7 secretary of state shall publish the proclamation in the official journal of each parish
8 in which the election is to be held. The election shall be conducted in the same
9 manner and at the same places and the returns shall be certified as in regular
10 congressional elections. If at a primary or general election in a congressional district
11 one representative in congress is to be elected for a full term and another to fill a
12 vacancy, the ballots containing the names of the candidates shall, as a part of the title
13 of the office, designate the term for which the candidates are respectively nominated.

14 * * *

15 §1285. Notice of election

16 * * *

17 B.(1)(a) Written notice of the election and the certificate required by
18 Subparagraph (b) of this Paragraph shall be transmitted to the secretary of state and
19 each clerk of court and registrar of voters in the area affected by the election. If the
20 election is to be held on a primary election date, then such notice and certificate shall
21 be received by the secretary of state at least four weeks prior to the opening of the
22 qualifying period for the primary election. If this deadline falls on a Saturday,
23 Sunday, or legal holiday, then the deadline shall be the following day which is not
24 a Saturday, Sunday, or legal holiday. If the election is not to be held on a primary
25 election date, then the notice and certificate shall be received by the secretary of state
26 on or before the sixty-first day prior to the election. The secretary of state shall not
27 accept any revisions to propositions, including but not limited to changes in title,
28 text, or numerical designations, after the last day for submission of the notice and
29 certificate to the secretary of state, unless prior to the printing of the ballots, the
30 revision will correct a typographical error and the revision has been approved by the

governing authority that called the proposition election.

* * *

§1307. Application by mail

* * *

E. A person entitled to vote absentee by mail may request in his application for an absentee ballot for a primary election that an absentee ballot for the succeeding general election be sent to him when such ballots become available for distribution; however, in such case, the applicant shall declare in writing to the registrar that he will be eligible to vote absentee by mail in the general election. For purposes of this Subsection, a party primary election and the succeeding general election for a party primary office are two separate elections. Separate requests shall be made to vote absentee by mail for the party primary election and for the succeeding general election.

* * *

L. The registrar shall not send an absentee ballot for a closed party primary election for which the voter is not eligible.

* * *

§1309. Early voting; verification

* * *

N.

* * *

(5) A list of early voting watchers shall be filed with the registrar of voters by hand delivery, facsimile, mail, or commercial courier before 4:30 p.m. on the fourteenth business day before the first day of early voting for the party primary, primary, or general election; however, if the fourteenth business day before the first day of early voting for the party primary, primary, or general election falls on a Saturday, Sunday, or other legal holiday, the list shall be filed on the next day which is not a Saturday, Sunday, or other legal holiday. For purposes of this Paragraph, "commercial courier" shall have the same meaning as provided in R.S. 13:3204(D).

* * *

1 (7) A list of early voting watchers submitted for the party primary or primary
2 election may be used for the second party primary, primary, or general election only
3 if the chairman of the parish executive committee of the political party notifies the
4 registrar of voters in writing by 4:30 p.m. on the tenth business day before the start
5 of early voting for the second party primary, primary, or general election that the
6 chairman wants to use the same list of early voting watchers.

7 * * *

8 §1310. Execution of certificate; marking of ballot; casting vote; assistance

9 * * *

10 F. If a voter who is not affiliated with a political party receives an absentee
11 ballot for the first party primary for a certain major political party in an election for
12 a party primary office and would like to choose the ballot for the first party primary
13 of a different major political party before his ballot has been cast and returned to the
14 registrar, he may obtain a replacement ballot from the registrar.

15 Section 3. Section 2 of Act No. 1 of the 2024 First Extraordinary Session of the
16 Legislature is hereby amended and reenacted to read as follows:

17 "Section 2. ~~This~~ (A) Solely for the purposes of qualifying for
18 elections in 2026 and for other activities and requirements related to the
19 conduct of elections in 2026, the provisions of Section 1 of this Act shall
20 become effective on June 12, 2025.

21 (B) For all other purposes, the provisions of this Act shall become
22 effective on January 1, 2026."

23 Section 4. Section 5 of Act No. 640 of the 2024 Regular Session of the Legislature
24 is hereby amended and reenacted to read as follows:

25 "Section 5.(A) Solely for the purposes of qualifying for elections in
26 2026 and for other activities and requirements related to the conduct of
27 elections in 2026, the provisions of this Act shall become effective on ~~August~~
28 ~~1, 2025~~ June 12, 2025.

29 (B) For all other purposes, the provisions of this Act shall become

1 effective on January 1, 2026."

2 Section 5.(A)(1) R.S. 18:467 as amended and reenacted by Act No. 640 of the 2024
3 Regular Session of the Legislature shall supersede R.S. 18:467(introductory paragraph) as
4 amended and reenacted by Act No. 1 of the 2024 First Extraordinary Session of the
5 Legislature.

6 (2) R.S. 18:410.6 as amended and reenacted by Act No. 640 of the 2024 Regular
7 Session of the Legislature shall supersede R.S. 18:410.6 as enacted by Act No. 1 of the 2024
8 First Extraordinary Session of the Legislature.

9 (3) R.S. 18:410.10 as amended and reenacted by Act No. 640 of the 2024 Regular
10 Session of the Legislature shall supersede R.S. 18:410.10 as enacted by Act No. 1 of the
11 2024 First Extraordinary Session of the Legislature.

12 (B) R.S. 18:192(A)(1) and (2), 402(A)(1), (D), and (E)(1), 410.1 through 410.3,
13 410.4(B), 410.5(A), 410.6(B)(1) and (2), 410.7(A), (B)(1) and (2), and (C), 410.8, 410.9(A),
14 and 1285(B)(1)(a) as amended and reenacted by this Act shall supersede those provisions
15 as amended and reenacted in Act No. 1 of the 2024 First Extraordinary Session of the
16 Legislature and Act No. 640 of the 2024 Regular Session of the Legislature.

17 (C) R.S. 18:192(A)(1), 402(E)(1), and 1285(B)(1)(a) as amended and reenacted in
18 Section 2 of this Act shall, on the effective date of Section 2 of this Act, supersede those
19 provisions as amended and reenacted in Section 1 of this Act.

20 Section 6. R.S. 18:1280.21(C) and (D), 1280.21.1, and 1371(A)(2)(c) are hereby
21 repealed in their entirety.

22 Section 7. Section 2 of Act No. 640 of the 2024 Regular Session of the Legislature
23 is hereby repealed in its entirety.

24 Section 8.(A) The Louisiana State Law Institute is authorized and directed to arrange
25 in alphabetical order and renumber the definitions contained in R.S. 18:2 and to correct any
26 cross-references to the renumbered Paragraphs if necessary, consistent with the provisions
27 of this Act.

28 (B) The Louisiana State Law Institute is authorized and directed to redesignate the
29 references to R.S. 18:402(B) and (C) that appear in R.S. 18:513(A)(5), R.S. 33:383(A), and

1 R.S. 33:1885 to reference R.S. 18:402.

2 Section 9.(A) Sections 1, 6, and 8 of this Act shall become effective August 1, 2025.

3 (B)(1) Solely for the purposes of qualifying for elections in 2026 and for other
4 activities and requirements related to the conduct of elections in 2026, Section 2 of this Act
5 shall become effective June 12, 2025.

6 (2) For all other purposes, the provisions of Section 2 of this Act shall become
7 effective January 1, 2026.

8 (C) This Section and Sections 3, 4, 5, and 7 of this Act shall become effective upon
9 signature by the governor or, if not signed by the governor, upon expiration of the time for
10 bills to become law without signature by the governor, as provided by Article III, Section
11 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved
12 by the legislature, this Section and Sections 3, 4, 5, and 7 of this Act shall become effective
13 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 592 Reengrossed

2025 Regular Session

Beaullieu

Abstract: Provides for revisions to the La. Election Code.

Duties of the Secretary of State

Present law (R.S. 18:18(D) and 154) authorizes the secretary of state (secretary) to enter into cooperative agreements with the Electronic Registration Information Center. Proposed law repeals present law and instead authorizes the secretary to enter into written agreements with other state and federal governmental agencies and private vendors that provide voter registration eligibility or address data.

Present law (R.S. 18:1409) provides for actions objecting to candidacy. Proposed law provides that neither the secretary nor any employee engaged in the administration of or charged with the custody of any records or files of the Dept. of State shall be subject to subpoena or otherwise required to appear in court for an objection to candidacy. Further provides that in lieu of live testimony for any action filed, a properly executed affidavit issued by the secretary of state or his designee shall serve as sufficient confirmation as to the accuracy of the records and files of the Dept. of State for such purposes.

Present law provides that the secretary of state shall give a parish governing authority notification of certain information as it relates to the delivery of voting machines. Proposed law repeals present law.

Present law (R.S. 18:1309.1) provides that a candidate or his representative may be present to observe the preparation of testing and machines. Proposed law retains present law except to clarify that the secretary of state's technicians, and not the registrar of voters, conducts the testing.

Voter Registration

Present law provides that any voter whose registration has been canceled because the voter has registered in another parish or in another state, if such voter makes application to register in the parish in which he was previously registered to vote within three years after the cancellation of his registration in that parish, may have his previous registration reinstated.

Proposed law removes the requirement that the registrant had been registered within the prior three years.

Present law (R.S. 18:111) requires a registered voter to submit certain documentation to change his name. Proposed law authorizes the voter to present his La. driver's license number, La. special identification card number, or social security number.

Present law prescribes the names that a married woman may use for registration. Proposed law provides that a married person may be registered using the surname of either or both spouses as a surname, or in a hyphenated combination thereof and allows the use of the person's La. driver's license number, La. special identification card number, or social security number to make the change.

Polling Locations

Present law (R.S. 18:401.2) provides for the relocation of polling places during a state of emergency. Proposed law retains present law and further provides for the consolidation of polling places or providing for multiple polling places in a precinct during a state of emergency.

Present law (R.S. 18:1286.1) provides for the consolidation of polling places. Proposed law specifies that the consolidation applies so that when a single location serves as a polling place of more than one precinct, the consolidation may provide for the single polling place to serve every precinct assigned to that location.

Commissioners and Watchers

Present law (R.S. 18:425 and 426) provides for qualifications for commissioners and alternate commissioners. Proposed law retains present law.

Present law provides that an alternate commissioner who does not replace a commissioner shall have the same powers and duties as a watcher. Proposed law repeals present law.

Proposed law (R.S. 18:1286(C)) provides that when the number of commissioners for each precinct in an election called on a general election date is less than the number of commissioners chosen for the primary election date, the appropriate number of commissioners shall be chosen from the list of commissioners who worked at the precinct for the primary election.

Proposed law (R.S. 18:1309(N)(2)) provides that no person who is required to register as a sex offender or child predator may serve as a commissioner or commissioner-in-charge. Proposed law retains present law and further provides the same for watchers.

Present law (R.S. 18:434) provides that the parish board of election supervisors shall meet at 10:00 a.m. on the 29th day before a primary election. Proposed law instead provides that the parish board shall meet on the second day after the close of registration.

Present law (R.S. 18:435) authorizes political parties to designate super watchers. Proposed law further authorizes political parties to designate alternate super watchers and that both a political party super watcher and an alternate political party super watcher may serve on election day, except that the political party super watcher and alternate political party super watcher may not serve at the same time and no more political party super watchers and alternate political party super watchers may serve at one time than the number of political party super watchers otherwise allowed to serve.

Present law (R.S. 18:1462) prohibits certain activities within 600 feet of a polling place on election day and authorizes a registrar, deputy registrar, commissioner-in-charge, or commissioner to summon law enforcement for the purposes of enforcing present law and seize, remove, or destroy prohibited materials. Proposed law retains present law and further authorizes the clerk of court to take such actions.

Ballots

Present law provides for the arrangement of the ballot. Proposed law changes the arrangement of the ballot to account for closed party primary candidates and provides that candidates nominated by nominating petition are listed alphabetically by the first word of the political principle designated in the notice of candidacy.

Present law (R.S. 18:1300.11) provides for the arrangement of ballots for recall elections and provides specific instructions on how the ballot shall appear. Proposed law retains the substance of the ballot without the specific instructions.

Proposed law (R.S. 18:1310) provides that if a voter is notified by the registrar of voters in his parish of a deficiency on his absentee by mail ballot certificate that must be cured, he may obtain a replacement ballot from the registrar and the registrar may make the ballot available via hand delivery to the voter or an immediate family member of the voter.

For the presidential preference primary election, present law (R.S. 18:1280.21) authorizes the state central committee of a recognized political party to allow in its bylaws for electors who are not affiliated with any political party to cast a vote on the ballot of such recognized political party. Proposed law repeals present law.

Present law (R.S. 18:1313 and 1313.1) provides that the board shall announce certain results after counting absentee by mail and early voting ballots. Proposed law provides that the board shall post, rather than announce, the results.

Present law (R.S. 18:1299.1) requires the governing authority or entity submitting a question or proposition to the voters to prepare the question or proposition for the ballot and requires the proposition to be comprised of simple, unbiased, concise, and easily understood language in the form of a question. Further prohibits the question from exceeding 200 words and including words that are struck through, underscored, or in boldface type. Provides that the secretary of state is responsible for ensuring that the proposition complies with present law.

Proposed law retains present law, except to provide that the governing authority, rather than the secretary of state, is responsible for ensuring the proposition be comprised of simple, unbiased, concise, and easily understood language. Proposed law retains present law requirement that the secretary of state ensure that the proposition does not exceed 200 words, does not include words that are struck through, underscored, or in boldface type, and is in the form of the question.

Election Dates

Present law (R.S. 18:402, 434, 1285, 1300, and 1300.7) provides for the calculation of dates related to the administration of elections. Proposed law provides that if a deadline falls on a Saturday, Sunday, or legal holiday, then the deadline shall be the following day which is

not a Saturday, Sunday, or legal holiday.

Present law (R.S. 18:402) provides for prohibited election days. Proposed law provides that the three days following Thanksgiving Day are prohibited election days.

Present law (R.S. 18:1280.21.1) provides for the presidential preference primary election in 2020. Proposed law repeals present law.

Campaign Finance

Present law (R.S. 18:1501.3) authorizes the governor to receive contributions for gubernatorial transition and inauguration and requires the governor to report within 60 days following the inauguration and annually thereafter to report certain information regarding such contributions. Proposed law provides that each report shall be complete through January 31st.

Closed Party Primaries

Proposed law (R.S. 18:401.1(H)) provides a vacancy in a party primary office that may not be filled by appointment, designation, or in accordance with the timeframes required by law shall constitute an emergency. If the vacancy may not be filled in a timely manner in accordance with the election dates provided by present law, the governor may proclaim a state of emergency for purposes of calling a special election to fill the vacancy. Following the issuance of the emergency proclamation, the authority required by law to call a special election to fill the vacancy in office shall, in consultation with and with the certification of the secretary, issue a proclamation ordering a special election. The proclamation ordering the special election shall include the dates for qualifying, early voting, the primary election, the general election, and at least one party primary election and make all provisions necessary to conduct an election in a timely manner notwithstanding the dates, timing, and delays otherwise provided by present law.

Proposed law (R.S. 18:402) designates dates to be used for the first and second party primary election for a special election called to fill a vacancy in a party primary office.

Present law (R.S. 18:410.1) provides that only certain political parties may participate in closed party primaries and designates such parties as "recognized political parties" for purposes of closed party primaries. Proposed law instead provides that such parties are designated as "major political parties".

Present law (R.S. 18:410.3) provides that voters not affiliated with a political party may vote in a party primary. Proposed law provides that if an unaffiliated voter chooses to vote in the first party primary of one political party, the unaffiliated voter shall not vote in the second party primary of another political party.

Proposed law provides that if an unaffiliated voter receives an absentee ballot for the first party primary for a certain recognized political party in an election for a party primary office and would like to choose the ballot for the first party primary of a different recognized political party before his ballot has been cast and returned to the registrar, he may obtain a replacement ballot from the registrar.

Present law (R.S. 18:501) provides that a candidate in a primary election may withdraw from the election by filing notice of his withdrawal with the secretary prior to 4:30 p.m. on the seventh day after the close of the qualifying period. Proposed law further provides that a candidate in a first party primary election may withdraw from the election by filing notice of his withdrawal with the secretary prior to 4:30 p.m. on the seventh day after the close of the qualifying period.

Present law provides that a candidate in a general election may withdraw from the election

by filing notice of his withdrawal with the secretary prior to 4:30 p.m. on the ninth day after the date of the primary election. Proposed law further provides that a candidate in a general election for a party primary office may withdraw from the election by filing notice of his withdrawal with the secretary prior to 4:30 p.m. on the ninth day after the second party primary election date, regardless of whether a second party primary election is held.

Present law (R.S. 18:1307) authorizes persons entitled to vote absentee by mail to request in his application for an absentee ballot for a primary election that an absentee ballot for the succeeding general election be sent to him when such ballots become available for distribution. Proposed law provides that a party primary election and the succeeding general election for a party primary office are two separate elections and that separate requests shall be made to vote absentee by mail for the party primary election and for the succeeding general election. Further provides that the registrar shall not send an absentee ballot for a closed party primary election for which the voter is not eligible.

Present law (Act No. 640 of the 2024 R.S.) provides that provisions related to closed party primaries adopted in the 2024 First Extraordinary Session of the Legislature and the 2024 Regular Session of the Legislature are effective for purposes of qualifying for elections in 2026 and for other activities and requirements related to the conduct of elections in 2026 shall become effective on Aug. 1, 2025, and shall become effective for all other purposes on Jan. 1, 2026.

Proposed law instead provides that provisions of present law related to closed party primaries are effective for purposes of qualifying for elections in 2026 and for other activities and requirements related to the conduct of elections in 2026 shall become effective on June 12, 2025 and for all other purposes on Jan. 1, 2026.

Miscellaneous

Present law (R.S. 18:25) requires the State Board of Election Supervisors (state board) to annually report to the House and Governmental Affairs Committee and the Senate and Governmental Affairs Committee its findings, observations, and recommendations concerning all aspects of elections no later than Jan. 31 of each year. Proposed law instead requires the report be submitted no later than 45 days prior to the start of each regular session of the legislature.

Present law (R.S. 18:1333) provides that participants in the nursing home early voting program shall remain enrolled in the program indefinitely except if certain actions are taken. Proposed law provides that if a notification letter sent by the registrar of voters to the participant is returned as undeliverable, the registrar shall mail an address confirmation notice to the voter.

Present law (R.S. 18:1363) provides for the allocation of voting machines for each voting precinct. Provides that three machines shall be allocated to each precinct where more than 1,000 voters but not more than 1,400 voters were registered to vote and four machines shall be allocated where more than 1,400 voters are registered. Proposed law instead provides that three machines shall be allocated to precincts where more than 1,000 and less than 1,800 voters are registered to vote and four machines shall be allocated where more than 1,800 voters.

Present law (R.S. 18:1401(C)) authorizes a qualified elector to bring an action objecting to any election in which any proposition is submitted to the voters if he alleges that except for irregularities or fraud in the conduct of an election the result would have been different.

Proposed law retains present law.

Present law (R.S. 18:1405(C)) provides that the action contesting an election on a proposed constitutional amendment shall be instituted not later than 4:30 p.m. of the 10th day after the

official promulgation of the results of the election. Proposed law retains present law and further provides that the action shall be instituted no earlier than the day after the election.

Present law (R.S. 18:2(4)) provides a definition of "immediate family". Proposed law includes grandparents and grandchildren as "immediate family".

Proposed law (R.S. 18:2(20)) defines "affidavit" as an oath or affirmation signed by the affiant before a notary public, or before a commissioner-in-charge, commissioner, registrar of voters, deputy registrar of voters, early voting commissioner, or secretary of state election staff, as specifically required in present law.

Proposed law (R.S. 18:2(21)) defines "attestation" as an oath or affirmation signed by the person making the oath or affirmation.

Proposed law changes references to "affidavit" as they appear in present law, when they do not meet the proposed law definition of "affidavit", to instead be referred to as an "attestation". Changes references to "attestation" as they appear in present law, when they do not meet the proposed law definition of "attestation", to instead be referred to as a "statement".

Present law (R.S. 14:123) provides for the crime of perjury subject to the criminal penalty of by a fine of not more than \$10,000 or imprisonment at hard labor for not more than five years, or both. Proposed law retains present law and further provides that any person who intentionally makes a false statement in an attestation shall be guilty of the crime of perjury, subject to the penalties provided in present law.

Effectiveness

Provisions of proposed law related to closed party primaries are effective for purposes of qualifying for elections in 2026 and for other activities and requirements related to the conduct of elections in 2026 shall become effective on June 12, 2025, and for all other purposes on January 1, 2026.

Provisions of proposed law not related to closed party primaries effective August 1, 2025.

(Amends R.S. 18:2(4), 18(D), 25(B), 104(C)(1)(intro. para.), 108(A) and (C), 110(B)(intro. para.), 111, 154(C)(2)(e), 192(A)(1) and (2), 401.2(A) and (B)(intro. para.), (1), (2), and (3), 402(A)(1), (D), (E)(1)(intro. para.), and (G)(1), 410.1-410.3, 410.4(B), 410.5(A), 410.6(B)(1) and (2), 410.7, 410.8, 410.9(A), 425.1, 426(A) and (B), 434(A)(intro. para.) and (1), 435(A)(4)(b) and (c) and (B)(1), 501(A)(1), (B)(1), and (C), 531(B), 533(A)(2) and (B)(1), 534(A) and (B)(1) and (2)(a), 551(B), (C)(1)(c)(i) and (2), and (D), 553(E)(2), 571(A)(8), 573(E)(1) and (4), 1259(B)(6) and (C), 1279, 1280.21(B), 1285(B)(1)(a), 1286.1, 1299.1, 1300(C)(1), 1300.2(C)(2)(b), 1300.7(A), 1300.11, 1306(E)(1)(f), 1307(E), 1309(D)(1)(c) and (d) and (2), (E)(1), (H), and (N)(2), (5), and (7), 1309.1(A), 1313(F), (H)(3), and (K)(1), 1313.1(F), (I)(2), and (L)(1), 1315(D)(1), 1333(D)(2) and (E), 1362.1(L), 1363(A)(3) and (4), 1405(C), 1462(F), 1501.3(C)(intro. para.), §2 of Act No. 1 of the 2024 1st E.S., and §5 of Act No. 1 of the 2024 R.S. ; Adds R.S. 18:2(20) and (21), 401.1(H), 1280.31, 1286(C), 1307(L), 1310(E) and (F), 1333(D)(3), and 1409(K); Repeals R.S. 18:1280.21(C) and (D), 1280.21.1, 1371(A)(2)(c), and §2 of Act No. 640 of the 2024 R.S.)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Provide specifically that state and federal governmental agencies and private vendors that provide voter registration and address data are the entities the secretary of state may enter into written agreements with for purposes of voter

list maintenance.

2. Assign responsibility to governing authorities to ensure that the ballot language for propositions submitted to the voters is simple, unbiased, concise, and easily understood.
3. Require that actions contesting an election on a proposed constitutional amendment be instituted no earlier than the day after the election.
4. Provide for effectiveness.
5. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Define "attestation".
2. Provide criminal penalties for intentionally making a false written statement in an attestation.
3. Authorize the presentation of a driver's license number or special identification card number, as opposed to the physical driver's license or special identification card, for purposes of changing the name of a registered voter.
4. Authorize the clerk of court to take actions to enforce prohibitions against certain activities within 600 feet of a polling place.
5. Make technical changes.