

Regular Session, 2012

HOUSE BILL NO. 852

BY REPRESENTATIVE TIM BURNS

ELECTION CODE: Makes revisions to the Election Code

1 AN ACT

2 To amend and reenact R.S. 18:25(B), 104(A)(3), 109, 152(C)(2)(a), 154(C), 177(A),
3 402(B)(2), (E)(1)(b) and (2)(b), (F)(2), and (G), 427(B), 431(A)(1)(a) and (3)(a) and
4 (B)(3), 435(A), 465(E)(1)(a), 532.1(F), 562(A)(2), 591, 602(A), (B), (C), (D),
5 (E)(1)(a), (2)(a), and (4), and (F), 604(B)(1) and (2)(a), 1272(A), 1284(F), 1299.1,
6 1300.13, 1302(2), 1307(B)(1)(d) and (2) and (H), 1308(A)(1) and (2)(d), (e), (f), and
7 (g), 1308.1(A), 1309(D)(1) and (E)(4), 1309.1, 1313(F)(9) and (10) and (I)(2)(a),
8 1314(B)(1), (C)(1)(b) and (3), and (D)(2), 1352, 1402(C), 1406(B), 1415(B), (C),
9 (D), (E), and (F), 1431, 1432(A), 1433(A) and (B), and 1941(A) and (B), to enact
10 R.S. 18:1307(I), 1308(A)(2)(h), (i), and (j), 1309(E)(5), 1313(F)(11), 1401(F),
11 1404(E), 1405(H), and 1415(G), and to repeal R.S. 18:1317, relative to the Louisiana
12 Election Code; to revise the system of laws comprising the Louisiana Election Code;
13 to provide relative to the authority and duties of the State Board of Election
14 Supervisors and the secretary of state; to provide relative to voter registration; to
15 provide relative to application for voter registration; to provide relative to notice of
16 registration and change in registration; to provide relative to precinct registers used
17 by the registrar of voters; to provide relative to disclosure of voter information; to
18 provide relative to reinstatement of voter registration after suspension; to provide for
19 election dates; to provide relative to watchers; to provide relative to courses of
20 instruction for commissioners; to provide relative to qualifying for an election; to

1 provide relative to nominating petitions; to provide relative to changing of precinct
 2 boundaries by parish governing authorities; to provide relative to procedures for
 3 voting during early voting and on election day; to provide relative to identification
 4 of voters; to provide for the time limits for making appointments to fill vacancies in
 5 certain offices; to provide for the time limits for issuing proclamations for special
 6 elections to fill vacancies in certain offices; to provide relative to the requirements
 7 for special elections for certain offices; to provide relative to propositions submitted
 8 to voters at certain elections; to provide relative to recall elections; to provide
 9 relative to applying to vote absentee by mail; to provide relative to procedures and
 10 requirements for voting absentee by mail; to provide relative to the transmission of
 11 absentee by mail materials; to provide relative to absentee by mail ballots; to provide
 12 relative to the counting and tabulation and recounting of absentee by mail and early
 13 voting ballots; to provide relative to the preparation of voting machines; to provide
 14 relative to absentee by mail and early voting commissioners; to provide for the use
 15 of paper ballots; to provide relative to submission of certain changes in voting
 16 practice and procedure by political subdivisions; to provide for effectiveness; and to
 17 provide for related matters.

18 Be it enacted by the Legislature of Louisiana:

19 Section 1. R.S. 18:25(B), 104(A)(3), 109, 152(C)(2)(a), 154(C), 177(A), 402(B)(2),
 20 (E)(1)(b) and (2)(b), (F)(2), and (G), 427(B), 431(A)(1)(a) and (3)(a) and (B)(3), 435(A),
 21 465(E)(1)(a), 532.1(F), 562(A)(2), 591, 602(A), (B), (C), (D), (E)(1)(a), (2)(a), and (4), and
 22 (F), 604(B)(1) and (2)(a), 1272(A), 1300.13, 1302(2), 1307(B)(1)(d) and (2) and (H),
 23 1308(A)(1) and (2)(d), (e), (f), and (g), 1308.1(A), 1309(D)(1) and (E)(4), 1309.1,
 24 1313(F)(9) and (10) and (I)(2)(a), 1314(B)(1), (C)(1)(b) and (3), and (D)(2), 1352, 1402(C),
 25 1406(B), 1415(B), (C), (D), (E), and (F), 1431, 1432(A), 1433(A) and (B), and 1941(A) and
 26 (B) are hereby amended and reenacted and R.S. 18:1307(I), 1308(A)(2)(h), (i), and (j),
 27 1309(E)(5), 1313(F)(11), 1401(F), 1404(E), 1405(H), and 1415(G) are hereby enacted to
 28 read as follows:

29 §25. Annual reports

1 * * *

2 B. The board shall annually report to the House and Governmental Affairs
3 Committee of the House of Representatives and the Senate and Governmental
4 Affairs Committee of the Senate its findings, observations, and recommendations
5 concerning all aspects of elections in this state. The report shall be submitted ~~prior~~
6 ~~to the ninetieth day before each legislative session~~ no later than January fifteenth
7 each year and shall include but shall not be limited to the following subjects: election
8 laws in general, registration procedures, election procedures, election officials,
9 voting machines, tabulation and transmission of election returns, procedures used for
10 casting and counting absentee by mail and early voting ballots, and any other aspect
11 of elections the board deems appropriate.

12 * * *

13 §104. Application for registration; form

14 A. The secretary of state, subject to approval by the attorney general as to
15 content, shall prescribe the form that shall be used uniformly by each registrar in the
16 state and any person authorized to accept voter registration applications in registering
17 qualified citizens to vote. The form shall contain spaces for at least the following
18 information with respect to the applicant:

19 * * *

20 (3) Sex, ~~present age~~, and date of birth.

21 * * *

22 §109. Notice of registration and change in registration

23 After receiving from the registrar the information concerning a new registrant
24 ~~or the information concerning a change in name, address, or polling place~~ made with
25 respect to the registration of any person, the Department of State promptly shall ~~mail~~
26 a deliver a notice to the appropriate registrar that the person is registered or that his
27 registration has been changed. The registrar shall then mail ~~a the~~ notice, postage
28 prepaid, to each new registrant and to each person whose registration was changed

1 ~~in any manner a notice that he is registered or that his registration has been changed.~~
2 The notice shall show the parish, ward, precinct, registration address, and party
3 affiliation of the registrant. However, the registrar shall not be required to send such
4 a notice to any voter who ~~has been~~ is on the inactive list of voters ~~for at least two~~
5 ~~years~~ unless the change in registration involves a change in the voter's address. The
6 secretary of state shall prescribe the form to be used on the notice; however, "Return
7 Service Requested" shall be printed on the front of the notice ~~shall contain directions~~
8 ~~to the postmaster to "deliver only as addressed; otherwise return to sender; address~~
9 ~~correction requested"~~, and the return address shall be that of the registrar. When a
10 notice is returned by the postmaster, the registrar shall proceed in accordance with
11 the applicable provisions of Part V of this Chapter.

* * *

§152. Required records

* * *

C.

* * *

17 (2)(a) Prior to each election, the registrar shall ~~request a~~ obtain one current
18 precinct register ~~and duplicate precinct register~~ for each precinct in the parish where
19 an election is to be held. The Department of State shall provide the registrar with
20 one duplicate precinct register in electronic form. Such registers shall contain both
21 the official list of voters and the inactive list of voters. Each precinct register shall
22 contain information for identification of the voter at the polls, a space which the
23 voter shall sign at the time he votes, a space for the initials of the commissioner at
24 the polls, a space for the date of the election, and space for such other information
25 as is deemed necessary.

* * *

§154. Records open to inspection; copying; exceptions

* * *

1 C. (1) Notwithstanding the provisions of this Section, neither the registrar
 2 nor the Department of State shall disclose the fact that a registered voter is entitled
 3 to assistance in voting or the social security number, driver's license number, day and
 4 month of the date of birth, mother's maiden name, or electronic mail address of a
 5 registered voter or circulate the fact that registered voters are entitled to assistance
 6 in voting or the social security numbers, driver's license numbers, day and month of
 7 the dates of birth, mother's maiden names, or electronic mail addresses of registered
 8 voters on commercial lists, except when voter registration data is transmitted to the
 9 office of motor vehicles of the Department of Public Safety and Corrections, for the
 10 purposes of verifying the accuracy and authenticity of the social security number,
 11 driver's license number, or full date of birth provided by the voter or when the full
 12 date of birth of a registered voter is transmitted to the Supervisory Committee on
 13 Campaign Finance Disclosure to verify the identity of a candidate for purposes of
 14 campaign finance reporting.

15 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the
 16 Supervisory Committee on Campaign Finance Disclosure shall not disclose the full
 17 date of birth of a registered voter transmitted to the committee by the Department of
 18 State or registrar of voters.

19 * * *

20 §177. Reinstatement of registration after suspension

21 A.(1) The registration of a person whose registration has been suspended by
 22 the registrar of voters pursuant to R.S. 18:176 for conviction of a felony shall be
 23 reinstated when the person appears in the office of the registrar and provides
 24 documentation from the appropriate correction official showing that such person is
 25 no longer under an order of imprisonment. ~~; provided that any person who qualifies~~
 26 ~~to vote under the special program for physically handicapped voters pursuant to~~
 27 ~~Chapter 7-A of this Title may provide such documentation in the manner provided~~
 28 ~~for such voters to vote absentee pursuant to R.S. 18:1332 and 1333.~~

1 (b) The first Tuesday after the first Monday in November, when the special
2 general election is held on the ~~first~~ second Saturday in December.

3 * * *

4 (2) A special general election shall be held on one of the following days:

5 * * *

6 (b) The ~~first~~ second Saturday in December of even-numbered years.

7 * * *

8 F. Bond, tax, or other elections. Every bond, tax, or other election at which
9 a proposition or question is to be submitted to the voters shall be held only on one
10 of the following dates:

11 * * *

12 (2) ~~The first Saturday in October or the~~ The first Tuesday after the first
13 Monday in November or the second Saturday in December of even-numbered years.

14 * * *

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

21 (2) If the date for the general election is advanced in accordance with the
22 provisions of Paragraph (1) of this Subsection, the primary election shall be
23 advanced the same number of weeks as the general election.

24 * * *

25 §427. Watchers

26 * * *

27 B. Powers and duties. A watcher shall be admitted within all parts of the
28 polling place during the election day and the counting and tabulation of votes, and
29 shall call any infraction of the law to the attention of the commissioners. A watcher

1 whom a certificate was issued, the kind of certificate, the social security number, the
2 party affiliation, and the mailing address of each such person. The clerk of court
3 shall also provide a report to the secretary of state in the manner required by the
4 secretary of state.

5 * * *

6 §435. Watchers; appointment and commission

7 A. Right to have watchers. (1) Each candidate is entitled to have one watcher
8 at every precinct on election day where the office he seeks is voted on in a primary
9 or general election. The candidate or his authorized representative shall file one list
10 of watchers on a form provided by the secretary of state or on a form which contains
11 the same information as required by the form provided by the secretary of state.
12 When a candidate's list of watchers is filed by the candidate's authorized
13 representative, a letter of authorization from the candidate shall accompany the list
14 of watchers; however, in the case of a presidential election, each slate of candidates
15 for presidential elector is entitled to have one watcher at every precinct. The state
16 central committee of each recognized political party shall be responsible for filing
17 the list of watchers for its slate of candidates for presidential elector. The list of
18 watchers for an independent or other party slate of candidates for presidential elector
19 shall be filed by any person so authorized by the presidential candidate supported by
20 the slate of electors. A letter of authorization from the presidential candidate, or an
21 authorized agent of his campaign, shall accompany the list of watchers.

22 * * *

23 §465. Nominating petitions

24 * * *

25 E. Certification. (1)(a) A nominating petition shall be submitted to the
26 registrars of voters in the parishes where the signers reside. A nominating petition
27 shall be submitted to the registrars in such parishes not less than thirty days before
28 the qualifying period ends for candidates in the primary election or special election
29 called pursuant to R.S. 18:402(E) or, in the case of presidential electors, in the

1 presidential election, except that in a special election called pursuant to R.S.
2 18:601(A)(2) or 1279, a nominating petition shall be submitted by the candidate to
3 the registrars of voters in such parishes ~~prior to the opening of the qualifying period.~~
4 not less than fourteen days before the qualifying period ends for candidates in the
5 special election.

6 * * *

7 §532.1. Changing boundaries

8 * * *

9 F. Within fifteen days after the adoption of the ordinance as provided in this
10 Section, the parish governing authority shall send to the secretary of the Senate and
11 the clerk of the House of Representatives, ~~as well as the secretary of state, the clerk~~
12 of court, and the registrar of voters a certified copy of the ordinance and a copy of
13 a map showing the new precinct boundaries together with a written description of
14 such boundaries.

15 * * *

16 §562. Prerequisites to voting

17 A. Identification of voters.

18 * * *

19 (2) Each applicant shall identify himself, in the presence and view of the
20 bystanders, and present to the commissioners a Louisiana driver's license, a
21 Louisiana special identification card issued pursuant to R.S. 40:1321, or other
22 generally recognized picture identification card that contains the name and signature
23 of the applicant. If the applicant does not have a Louisiana driver's license, a
24 Louisiana special identification card, or other generally recognized picture
25 identification card that contains the name and signature of the applicant, the
26 applicant shall complete and sign an affidavit, which is supplied by the secretary of
27 state, to that effect before the commissioners, which affidavit shall include the
28 applicant's date of birth and mother's maiden name. If the applicant is unable to read
29 or write or is otherwise unable to complete the affidavit due to disability, the

1 applicant may receive assistance in completing the affidavit and the commissioner
2 shall make a notation on the affidavit. The applicant may receive the assistance of
3 any person of his choice, including a commissioner, except a candidate,
4 commissioner-in-charge, employer or employer's agent, or union agent. The
5 commissioners ~~who~~ shall place the affidavit in the envelope marked "Registrar of
6 Voters" and attach the envelope to the precinct register, ~~and the applicant shall~~
7 ~~provide further identification by presenting his current registration certificate, giving~~
8 ~~his date of birth, or providing other information stated in the precinct register that is~~
9 ~~requested by the commissioners.~~ However, an applicant who is allowed to vote
10 without the picture identification required by this Paragraph is subject to challenge
11 as provided in R.S. 18:565.

* * *

13 §591. Vacancy in office of elective members of state boards and commissions

14 Within twenty-four hours after any member of a state board or commission
15 has knowledge of a vacancy in an elective office on that state board or commission,
16 he shall notify the governor by certified mail of the vacancy, the date on which it
17 occurred, and the cause thereof. Within ~~ten~~ twenty days after he is notified of the
18 vacancy, the governor shall appoint a person to fill the vacancy who has the
19 qualifications for the office. However, if the deadline for making the appointment
20 falls on a Saturday, Sunday, or other legal holiday, then the next day which is not a
21 Saturday, Sunday, or legal holiday shall be deemed to be the final day for making
22 such appointment. If the unexpired term is one year or less, the member so
23 appointed shall serve for the remainder thereof. If the unexpired term exceeds one
24 year, the governor, within ~~ten~~ twenty days after he is notified of the vacancy, shall
25 issue his proclamation ordering a special election to fill the vacancy, which shall
26 specify, in accordance with R.S. 18:402, the dates on which the primary and general
27 elections shall be held, and in accordance with R.S. 18:467, 467.1, and 468, the dates
28 of the qualifying period for the candidates in the special election. However, if the
29 deadline for issuing the proclamation falls on a Saturday, Sunday, or other legal

1 holiday, then the next day which is not a Saturday, Sunday, or legal holiday shall be
 2 deemed to be the final day for issuing such proclamation. Immediately thereafter the
 3 governor shall publish the proclamation in the official journal of each parish in
 4 which the election is to be held. Within twenty-four hours after issuing the
 5 proclamation, the governor shall send a copy of the proclamation to the secretary of
 6 state who shall within twenty-four hours after receipt of the information notify all
 7 election officials having any duty to perform in connection with the special election
 8 to fill such vacancy, including the parish boards of election supervisors for the parish
 9 or parishes in which the vacancy occurred. The governor may appoint a person to
 10 fill a vacancy and issue a proclamation ordering a special election when he learns of
 11 a vacancy, whether or not he has received notice thereof from a state board or
 12 commission member. Whenever a special election is required, the governor's
 13 appointee shall serve only until the successor is elected and takes office.

14 * * *

15 §602. Vacancies in certain local and municipal offices; exceptions

16 A. When a vacancy occurs in the office of a member of a parish or municipal
 17 governing authority or a combination thereof, a mayor, or any other local or
 18 municipal office, except an office covered by Subsections B and C ~~hereof~~ of this
 19 Section and except the office of judge, state legislator, or marshal of a city or
 20 municipal court, and the office is filled by election wholly within the boundaries of
 21 a local governmental subdivision, the governing authority of the local governmental
 22 subdivision where the vacancy occurs shall; within ~~ten~~ twenty days; appoint a person
 23 to fill the vacancy who meets the qualifications of the office. However, if the
 24 deadline for making the appointment falls on a Saturday, Sunday, or other legal
 25 holiday, then the next day which is not a Saturday, Sunday, or legal holiday shall be
 26 deemed to be the final day for making such appointment. The presiding officer of
 27 the governing authority shall not be required to vote on such an appointment to be
 28 made by the governing authority of a local governmental subdivision unless a tie

1 vote occurs thereon, in which case he shall vote to break the tie; however, in no case
2 shall the presiding officer vote more than once on the appointment.

3 B. When a vacancy occurs in the membership of a city or parish school
4 board, the remaining members of the board shall; within ~~ten~~ twenty days; declare that
5 the vacancy has occurred and proceed to appoint a person who meets the
6 qualifications of the office to fill the vacancy. However, if the deadline for making
7 the appointment falls on a Saturday, Sunday, or other legal holiday, then the next day
8 which is not a Saturday, Sunday, or legal holiday shall be deemed to be the final day
9 for making such appointment. For the purposes of this Subsection, in addition to the
10 definition of "vacancy" provided in R.S. 18:581, a "vacancy" in a city or parish
11 school board office shall be deemed to have occurred when, in the case of a city
12 school board, a member's residence no longer lies within the jurisdiction of the board
13 or when, in the case of a parish school board, a member changes his domicile from
14 the district he represents or, if elected after reapportionment, is domiciled outside the
15 district he represents at the time he is sworn into office, any declaration of retention
16 of domicile to the contrary notwithstanding.

17 C. When a vacancy occurs in any of the following offices, the duties of the
18 office shall be assumed by the person hereinafter designated: (1) district attorney, by
19 the first assistant; (2) clerk of a district court, by the chief deputy; (3) coroner, by the
20 chief deputy; (4) sheriff, by the chief criminal deputy, except that in a parish that has
21 both a civil sheriff and a criminal sheriff, the civil sheriff by the chief civil deputy,
22 and the criminal sheriff, by the chief criminal deputy, respectively; and (5) tax
23 assessor, by the chief deputy assessor. If there is no such person to assume the duties
24 when the vacancy occurs, the governing authority or authorities of the parish or
25 parishes affected shall; within ~~ten~~ twenty days; appoint a person having the
26 qualifications of the office to assume the duties of the office. However, if the
27 deadline for making the appointment falls on a Saturday, Sunday, or other legal
28 holiday, then the next day which is not a Saturday, Sunday, or legal holiday shall be
29 deemed to be the final day for making such appointment.

1 issue the proclamation within ~~ten~~ twenty days after the vacancy occurs, the governor
2 shall issue the proclamation.

3 * * *

4 (4) If the unexpired term of a parish or municipal office covered by
5 Subsection A of this Section is one year or more, but the vacancy occurs within one
6 year of the ~~regular municipal~~ regularly scheduled primary election for that office, no
7 special election will be called, and the appointee shall serve for the remainder of the
8 term of office.

9 F. Whenever multiple vacancies in a local or municipal governing authority
10 or in a school board covered by Subsection A or B of this Section reduce the
11 membership of such governing authority or board below the number of total
12 members required to constitute a quorum to conduct official business, the remaining
13 members shall immediately inform the governor of the existence of the vacancies.
14 Within ~~ten~~ twenty days after he receives this notice, the governor shall make
15 appointments to fill all the vacancies and shall issue a proclamation calling special
16 elections to fill such vacancies if special elections are required under the provisions
17 of this Section. However, if the deadline for making the appointment or issuing the
18 proclamation, if applicable, falls on a Saturday, Sunday, or other legal holiday, then
19 the next day which is not a Saturday, Sunday, or legal holiday shall be deemed to be
20 the final day for making such appointment or issuing such proclamation.

21 * * *

22 §604. Marshal of city or municipal court; temporary absence; vacancy

23 * * *

24 B.(1) When a vacancy occurs in the office of constable or marshal of a city
25 or municipal court and the unexpired term of the office is one year or less, the chief
26 deputy shall assume such duties and position and shall serve for the remainder of the
27 expired term. However, in those cases where there is no such person to assume the
28 duties when the vacancy occurs, the appropriate governing authority shall within ~~ten~~
29 twenty days appoint a person having the qualifications of the office to assume the

1 duties of the office for the remainder of the unexpired term. However, if the
2 deadline for making the appointment falls on a Saturday, Sunday, or other legal
3 holiday, then the next day which is not a Saturday, Sunday, or legal holiday shall be
4 deemed to be the final day for making such appointment. The appointment shall be
5 made by the governing authority of the parish, unless the jurisdiction of the city or
6 municipal court is wholly within the municipal city limits, in which case, such
7 appointment shall be made within ~~ten~~ twenty days by the municipal governing
8 authority. However, if the deadline for making the appointment falls on a Saturday,
9 Sunday, or other legal holiday, then the next day which is not a Saturday, Sunday,
10 or legal holiday shall be deemed to be the final day for making such appointment.
11 If the appropriate governing authority fails to fill the vacancy within ~~ten~~ twenty days,
12 the governor shall fill the vacancy. The judge of the city or municipal court which
13 he serves shall fix the amount of the bond.

14 (2)(a) When the unexpired term exceeds one year, the chief deputy shall
15 assume such duties and position and shall serve until the successor is elected and
16 takes office. If there is no such person to assume the duties when the vacancy
17 occurs, the appropriate governing authority shall within ~~ten~~ twenty days appoint a
18 person having the qualifications of the office to assume the duties of the office until
19 the successor is elected and takes office. However, if the deadline for making the
20 appointment falls on a Saturday, Sunday, or other legal holiday, then the next day
21 which is not a Saturday, Sunday, or legal holiday shall be deemed to be the final day
22 for making such appointment. If the appropriate governing authority fails to fill the
23 vacancy within ~~ten~~ twenty days, the governor shall fill the vacancy. The appropriate
24 governing authority shall, within ~~ten~~ twenty days after the vacancy occurs, issue a
25 proclamation ordering a special election to fill the vacancy and shall specify in the
26 proclamation, in accordance with R.S. 18:402, the dates on which the primary and
27 general elections shall be held and, in accordance with R.S. 18:467, 467.1, and 468,
28 the dates of the qualifying period for candidates in the special election. However,
29 if the deadline for issuing the proclamation falls on a Saturday, Sunday, or other

1 legal holiday, then the next day which is not a Saturday, Sunday, or legal holiday
2 shall be deemed to be the final day for issuing such proclamation. If the appropriate
3 governing authority fails to issue the proclamation within ~~ten~~ twenty days after the
4 vacancy occurs, the governor shall issue the proclamation.

5 * * *

6 §1272. United States senators; representatives in congress; time of electing

7 A. All general elections for representatives in congress shall be held on the
8 ~~first~~ second Saturday in December, in even-numbered years. The primary election
9 shall be held on the first Tuesday after the first Monday in November of an election
10 year.

11 * * *

12 §1300.13. Declaration of vacancy

13 When the majority is in favor of the recall, the public officer is, ipso facto,
14 recalled and removed from office, and the office shall be vacated upon ~~receipt by the~~
15 ~~secretary of state of certified returns from all of the parish boards of election~~
16 ~~supervisors within the jurisdiction;~~ expiration of the time period for contesting the
17 recall election set forth in R.S. 18:1405(H) if an action contesting the recall election
18 is not commenced timely or when the final judgment becomes definitive if an action
19 contesting the recall election is commenced timely, and the office shall be filled as
20 in the case of ordinary vacancies and according to the constitution and laws of the
21 state. A public officer who has been recalled and removed from office shall not be
22 appointed to succeed himself in the office from which he was recalled and removed.

23 * * *

24 §1302. Definitions

25 As used in this Chapter, unless the context clearly indicates otherwise, the
26 following terms shall have the meanings hereafter ascribed to each:

27 * * *

28 (2) "Board" means the parish board of election supervisors of each parish.
29 If absentee by mail and early voting commissioners are utilized by the parish board

1 of election supervisors to count and tabulate absentee votes, the term "board" for the
2 purposes of R.S. 18:1306, 1311, 1312, 1313, 1315, and 1316, ~~and 1317~~ may also
3 mean absentee by mail and early voting commissioners.

4 * * *

5 §1307. Application by mail

6 * * *

7 B.(1)

8 * * *

9 (d) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,
10 with respect to applicants who have a valid Louisiana driver's license or Louisiana
11 special identification card issued pursuant to R.S. 40:1321 who are registered to vote,
12 an application to vote by mail may be made by completing and submitting an
13 electronic application to vote by mail on the secretary of state's website.

14 (2) Except as provided in Subsections C and D of this Section and R.S.
15 ~~18:1333(D)(2)~~, 18:1333(D)(1), an application must be received by the registrar not
16 ~~earlier than sixty days or later than 4:30 p.m.~~ on the fourth day prior to the election
17 for which it is requested, and the date received shall be noted thereon. However, if
18 the deadline falls on a Saturday, Sunday, or other legal holiday, then the next day
19 which is not a Saturday, Sunday, or legal holiday shall be deemed to be the final day
20 of the deadline.

21 * * *

22 H. If the applicant is eligible to vote absentee by mail pursuant to R.S.
23 18:1303(H), his application, if such application meets the requirements of this
24 Section, shall remain valid as long as the applicant is a program participant in the
25 Department of State Address Confidentiality Program pursuant to Part III of Chapter
26 1 of Title 44 of the Louisiana Revised Statutes of 1950. When the applicant ceases
27 participation in the program, the Department of State shall notify the registrar of the
28 parish where the applicant is registered to vote that the applicant is no longer a
29 participant in the program. Upon receipt of the notification from the Department of

1 voter transmits his voted ballot to the registrar by facsimile, the documents to be
2 transmitted shall contain the following statement: "I understand that by faxing my
3 voted ballot I am voluntarily waiving my right to a secret ballot." This statement
4 shall be followed by the voter's handwritten signature, date, and social security
5 number. Upon receipt of the transmittal, the registrar shall place the voted ballot
6 along with the signed statement and affidavit in an appropriately marked envelope
7 and seal it. The registrar and his staff shall take the steps necessary to keep the voted
8 ballots received by facsimile as confidential as practicable.

9 (2)

10 * * *

11 (d) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,
12 with respect to members of the United States Service and persons residing outside
13 the United States who are registered to vote, these materials may be electronically
14 transmitted for candidates for state, local, and municipal offices and shall include the
15 special ballot or ballots as provided in R.S. 18:1306(A)(4) for the general election.

16 (e) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,
17 with respect to members of the United States Service and persons residing outside
18 the United States who are registered to vote, these materials may be electronically
19 transmitted for candidates for political party offices.

20 (f) Notwithstanding the provisions of Subparagraph (a) of the Paragraph,
21 with respect to members of the United States Service and persons residing outside
22 the United States who are registered to vote, these materials may be electronically
23 transmitted for recall, proposed constitutional amendments, proposition, and question
24 elections.

25 (g) For mailed ballots, the envelope mailed to the voter shall contain four
26 envelopes, two of which shall be the ballot envelopes and two of which shall be
27 return envelopes. Each return envelope shall bear the official title and mailing
28 address of the registrar, whether it contains a primary or general election ballot, and
29 the name, return address, and precinct or district number of the voter. The voter shall

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 return his voted primary election ballot and special ballot for the general election to
2 the registrar in the appropriate envelopes. The registrar of voters shall mail a regular
3 general election absentee ballot to a member of the United States Service or to
4 persons residing overseas only if the regular general election absentee ballot includes
5 one or more elections that were not included on the special ballot sent, as provided
6 herein, to such voter. The envelope for the special ballot shall contain language on
7 the outside of the envelope that clearly designates which envelope is to be used for
8 return of the general election ballot.

9 ~~(e)~~(h)(i) For electronically transmitted presidential preference primary,
10 presidential, congressional primary, and congressional general election ballots, the
11 registrar shall transmit the ballot or ballots, certificate, and waiver of the right to a
12 secret ballot to the voter for each ballot mailing. The waiver of the right to a secret
13 ballot shall contain the following statement: "My ballot was transmitted
14 electronically to me and I am voluntarily waiving my right to a secret ballot." The
15 statement shall also contain a space for the voter's handwritten signature, the date,
16 and the voter's social security number. The voter shall return by mail his voted ballot
17 or ballots, completed certificate, and signed waiver of the right to a secret ballot for
18 each ballot mailing. The registrar and his staff shall take the steps necessary to keep
19 each voted ballot that was transmitted electronically as confidential as practicable.

20 (ii) The voter may use a separate "Security Envelope" and ballot transmittal
21 envelope from the Federal Write-in Absentee Ballot to mail the electronically
22 transmitted presidential preference primary, presidential, congressional primary, or
23 congressional general election ballot or ballots, certificate, and waiver of the right
24 to a secret ballot to the parish registrar of voters for each ballot mailing.

25 ~~(f)~~ (i) Notwithstanding the provisions of Subparagraphs (a), ~~(b)~~, ~~(c)~~, and ~~(d)~~
26 through (f) of this Paragraph, a voter who is a member of the United States Service
27 or who resides outside the United States and who feels he will not have time to vote
28 timely by mail, may request that the registrar transmit to him by facsimile a ballot,
29 including the certificate, or a second ballot, as the case may be, and the registrar shall

1 do so. The voter may then either mail or transmit by facsimile his voted ballot and
 2 certificate back to the registrar at the facsimile machine number designated by the
 3 registrar. If the voter chooses to transmit his voted ballot to the registrar by
 4 facsimile, the documents to be transmitted shall contain the following statement: "I
 5 understand that by faxing my voted ballot I am voluntarily waiving my right to a
 6 secret ballot." This statement shall be followed by the voter's handwritten signature,
 7 date, and social security number. Upon receipt of the transmittal, the registrar shall
 8 place the voted ballot along with the signed statement and certificate in an
 9 appropriately marked envelope and seal it. The registrar and his staff shall take the
 10 steps necessary to keep the voted ballots received by facsimile as confidential as
 11 practicable.

12 ~~(g)~~ (j) The secretary of state as the chief election officer of the state shall
 13 take all actions reasonably necessary to allow members of the United States Service
 14 and persons residing outside the United States to vote according to the Uniformed
 15 and Overseas Citizens Absentee Voting Act or otherwise during a period of declared
 16 emergency, whether by mail, facsimile, or other means of transmission of the ballot,
 17 notwithstanding any provision of this Code to the contrary.

18 * * *

19 §1308.1. Absentee voting by person serving on sequestered jury

20 A. Immediately upon receipt of an application, the registrar shall deliver the
 21 necessary instructions, certificates, ballots, and envelopes to the officer of the court
 22 in charge of the sequestered jury on which the applicant is serving, at the address
 23 furnished by the applicant. ~~The registrar shall detach the perforated slip from each~~
 24 ~~absentee ballot before delivering it to the officer, shall retain the slip from each~~
 25 ~~absentee ballot before delivering it to the officer, and shall retain the slip in the~~
 26 ~~records of his office for six months.~~ Each envelope delivered to the officer shall
 27 contain two envelopes, one of which shall be the ballot envelope and the other shall
 28 be a return envelope bearing the official title and mailing address of the registrar and

1 the name, return address, and precinct or district number of the voter. This latter
2 envelope shall be used by each voter to return his ballot.

3 * * *

4 §1309. Early voting application and early voting

5 * * *

6 D.(1) Before any voter is allowed to vote during early voting, the registrar
7 or his deputy shall establish the voter's identity by requiring him to submit a
8 Louisiana driver's license, a Louisiana special identification card issued pursuant to
9 R.S. 40:1321, or other generally recognized picture identification card that contains
10 the name and signature of the voter. If the voter does not have a Louisiana driver's
11 license, a Louisiana special identification card, or other generally recognized picture
12 identification card that contains the name and signature of the voter, the voter shall
13 complete and sign, in the presence of the registrar or his deputy, an affidavit to that
14 effect provided by the secretary of state, which affidavit shall include the voter's date
15 of birth and mother's maiden name. If the voter is unable to read or write or is
16 otherwise unable to complete the affidavit due to disability, the applicant may
17 receive assistance in completing the affidavit and the registrar or his deputy shall
18 make a notation on the affidavit. The applicant may receive the assistance of any
19 person of his choice, including the registrar or his deputy, except an employer or
20 employer's agent or union agent. The registrar or his deputy shall retain the affidavit
21 in the office of the registrar of voters, and the voter shall provide further
22 identification by presenting his current registration certificate, giving his date of
23 birth, or providing to the registrar or his deputy, upon request, other information
24 regarding the voter contained in the precinct register. If satisfied that the applicant
25 has identified himself as the voter named on the precinct register or list kept by the
26 registrar and that he is qualified to vote, the registrar or his deputy shall initial the
27 precinct register or list kept by the registrar opposite the voter's signature or mark.
28 The voter then shall be allowed to vote. A voter who votes without the picture

1 identification required by this Paragraph is subject to challenge as provided in R.S.
2 18:1315.

3 * * *

4 E.

5 * * *

6 (4)(a) A voter shall not remain in a voting machine longer than three
7 minutes. If a voter fails to leave a voting machine promptly after the registrar or
8 deputy registrar has notified him that three minutes have elapsed, the registrar or
9 deputy registrar shall have the voter removed from the voting machine.

10 (b) Notwithstanding Subparagraph (a) of this Paragraph, a voter receiving
11 assistance in voting pursuant to R.S. 18:1309.3 or a voter using the audio ballot shall
12 be allowed to remain in a voting machine for up to twenty minutes. If such a voter
13 fails to leave a voting machine promptly after the registrar or deputy registrar has
14 notified him that twenty minutes have elapsed, the registrar or deputy registrar shall
15 have the voter removed from the voting machine.

16 ~~(4)(a)~~ (5)(a) In order to cast a vote on a voting machine, a voter shall make
17 a selection in a candidate or proposition election. Voting is completed by activating
18 the cast vote mechanism. If the voter has made any selection in a candidate or
19 proposition election but has failed to activate the cast vote mechanism, the registrar
20 or his deputy, observed by a deputy registrar or, in the absence of a deputy registrar,
21 a witness, shall activate the cast vote mechanism for the fled voter without altering
22 any selections made by the voter. In the case of vote activation in the presence of a
23 witness, the registrar or deputy registrar shall record the name and address of the
24 witness.

25 (b) In order to cast a vote on a paper ballot, a voter must make a selection for
26 a candidate or for or against a proposition by completely filling in the oval to the
27 right of a selection and returning the ballot to the appropriate election official within
28 the applicable deadline set forth by law. If a voter makes selections for more than
29 the number of candidates to be elected for an office or makes selections for and

1 against the same proposition, the selections for that office or proposition will be
2 void.

3 * * *

4 §1309.1. ~~Notice of preparation~~ Preparation of machines for early voting;
5 examination by candidate or his representative; sealing machines

6 A. ~~Prior to the conduct of early voting;~~ At the time of qualifying, the parish
7 custodian shall notify each candidate ~~of~~ to contact the registrar of voters for the time
8 and place at which the voting machines will be prepared for early voting. ~~The notice~~
9 ~~shall state the time and place at which he will begin preparation of the machines for~~
10 ~~sealing and that the~~ The candidate or his representative may be present to observe the
11 preparation of the machines ~~for~~ by the registrar of voters with the assistance of the
12 secretary of state's technicians and to observe the testing and sealing of the machines
13 ~~by the parish custodian.~~ registrar of voters in the presence of the parish board of
14 election supervisors. Each candidate or his representative shall be afforded a
15 reasonable opportunity to ~~inspect and test vote the machines~~ view the test vote tape
16 for each machine to see that they are in the proper condition for use in the election,
17 which opportunity shall not be less than thirty minutes beginning at the time
18 designated by the ~~parish custodian~~ registrar of voters to begin preparation of the
19 machines for sealing. However, no candidate, representative, or citizen shall
20 interfere with the registrar of voters, secretary of state's technicians, ~~parish custodian,~~
21 board of election supervisors, or any employee or technician or assume any of their
22 duties.

23 B. Each candidate or representative shall identify to the registrar of voters
24 the candidate whom he is representing. In addition, any citizen of this state may be
25 present to observe the preparation, testing, and sealing of the machines by the ~~parish~~
26 ~~custodian~~ registrar of voters and shall be afforded an opportunity to inspect the
27 ~~machines~~ test vote tape for each machine to see that they are in proper condition for
28 use for early voting.

1 number of votes on the final absentee by mail and early voting vote report and shall
2 certify the results.

3 * * *

4 I.

5 * * *

6 (2)(a) Notwithstanding the provisions of Paragraph (1) of this Subsection,
7 if the number of absentee by mail and early voting ballots cast for all candidates for
8 an office could make a difference in the outcome of the election for such office, upon
9 the written request of a candidate for such office, the board shall recount the absentee
10 by mail ballots by hand or scanning equipment and early voting ballots
11 electronically, unless paper ballots were used for early voting and in such case, the
12 ballots shall be recounted by hand for such office.

13 * * *

14 §1314. Absentee by mail and early voting commissioners

15 * * *

16 B. Selection for primary election. (1) The parish board of election
17 supervisors shall determine the number of absentee by mail and early voting
18 commissioners necessary to count the absentee by mail and early voting ballots in
19 the parish. The parish board of election supervisors shall select a ~~minimum~~
20 maximum of ~~three~~ six such commissioners. If the parish board of election
21 supervisors determines that the number of absentee by mail and early voting
22 commissioners should be increased to more than six, the parish board shall make a
23 request to the secretary of state for the additional absentee by mail and early voting
24 commissioners. If the secretary of state or his designee determines that there is a
25 need for the additional absentee by mail and early voting commissioners, the parish
26 board shall select the additional absentee by mail and early voting commissioners.

27 * * *

28 C. Selection for general election. (1)

29 * * *

1 (b) If it determines that the number cannot be reduced or should be
2 increased, those persons who served as absentee by mail and early voting
3 commissioners and alternate absentee by mail and early voting commissioners for
4 the parish in the primary election shall serve in the general election, unless replaced
5 or disqualified in the manner provided by law for commissioners and alternate
6 commissioners. ~~The number of absentee by mail and early voting commissioners for~~
7 ~~a general election shall not be less than three.~~ If the parish board of election
8 supervisors determines that the number of absentee by mail and early voting
9 commissioners should be increased to more than the number of such commissioners
10 who served in the primary election, the parish board shall make a request to the
11 secretary of state for the additional absentee by mail and early voting commissioners.
12 If the secretary of state or his designee determines that there is a need for the
13 additional absentee by mail and early voting commissioners, the parish board shall
14 select the additional absentee by mail and early voting commissioners.

15 * * *

16 (3) If the parish board ~~determines~~ and the secretary of state or his designee
17 determine that the number of absentee by mail and early voting commissioners
18 should be increased, the parish board shall meet at 10:00 a.m. on the fifth day before
19 a general election and shall select the additional absentee by mail and early voting
20 commissioners and alternate absentee by mail and early voting commissioners to
21 serve in the general election for that parish from the list of certified commissioners
22 who have not been chosen to serve in the general election as a
23 commissioner-in-charge, commissioner, or, if applicable, absentee by mail and early
24 voting commissioner in the manner provided by law for the selection of
25 commissioners and alternate commissioners. If there are not enough certified
26 commissioners to select the appropriate number of absentee by mail and early voting
27 commissioners and alternate absentee by mail and early voting commissioners, the
28 board of election supervisors may select a qualified elector of the parish to serve;
29 however, no such elector shall serve as an absentee by mail and early voting

1 commissioner if a certified commissioner has been selected as an alternate absentee
2 by mail and early voting commissioner.

3 D. Selection for provisional ballot counting for a primary or general election.

4 * * *

5 (2) Upon approval by the secretary of state or his designee, the parish board
6 of election supervisors shall appoint the approved number of absentee by mail and
7 early voting commissioners for assistance to the board in counting and tabulating the
8 provisional ballots.

9 * * *

10 §1352. Use of voting machines throughout state; exception for failure of voting
11 equipment, absentee by mail and early voting

12 A. Voting machines shall be used throughout this state in all elections. ;
13 ~~however, nothing~~

14 B. Notwithstanding the provisions of Subsection A of this Section, paper
15 ballots may be used when voting machines fail.

16 C. Nothing in this Chapter shall prohibit absentee by mail and early voting
17 as otherwise provided in this Title.

18 * * *

19 §1401. Objections to candidacy, contests of elections, contests of certification of
20 recall petition; parties authorized to institute actions

21 * * *

22 F. A public officer who alleges that except for substantial irregularities or
23 error or except for fraud or other unlawful activities in the conduct of the election he
24 would not have been recalled may bring an action contesting the election.

25 §1402. Proper parties

26 * * *

27 C. The secretary of state, in his official capacity, shall be made a party
28 defendant to any action contesting an election for public office or an election for the
29 recall of a public officer. The secretary of state, in his official capacity, shall be

1 made defendant to any action objecting to the calling of a special election. The
2 secretary of state, in his official capacity, shall be made a party defendant to any
3 action contesting the certification of a recall petition. When named as a defendant
4 in an action contesting an election, costs of court shall not be assessed against the
5 secretary of state. When named as a defendant in an action contesting the
6 certification of a recall petition, costs of court shall not be assessed against the
7 secretary of state.

8 * * *

9 §1404. Venue

10 * * *

11 E. An action contesting an election for the recall of a public officer shall be
12 instituted in the district court for a parish included in whole or in part in the voting
13 area wherein the recall election is held; however if the public officer recalled is a
14 statewide elected official, an action contesting the election shall be instituted in the
15 district court for the parish where the state capitol is situated.

16 §1405. Time for commencement of action

17 * * *

18 H. An action contesting any election involving the recall of a public officer
19 shall be instituted at or before 4:30 p.m. of the ninth day after the date of the
20 election.

21 §1406. Petition; answer; notification

22 * * *

23 B. The petition shall set forth in specific detail the facts upon which the
24 objection or contest is based. If the action contests an election involving election to
25 office, the petition shall allege that except for substantial irregularities or error, fraud,
26 or other unlawful activities in the conduct of the election, the petitioner would have
27 qualified for a general election or would have been elected. If the action contests an
28 election involving the recall of a public officer, the petition shall allege that except
29 for substantial irregularities or error, fraud, or other unlawful activities in the conduct

1 of the election, the petitioner would not have been recalled. The trial judge may
2 allow the filing of amended pleadings for good cause shown and in the interest of
3 justice.

4 * * *

5 §1415. Discovery prior to filing a suit contesting an election

6 * * *

7 B. Provided an action contesting an election involving the recall of a public
8 officer has not been filed pursuant to R.S. 18:1405(H), the recalled public officer
9 may conduct limited discovery as provided in this Section during the period of time
10 after the close of the polls on election day and prior to the expiration of time to file
11 a suit contesting such election.

12 C. Such discovery may be conducted only after execution of an affidavit by
13 a poll watcher, commissioner, or any other election official that he has personal
14 knowledge of an irregularity in the election and only after such affidavit has been
15 filed with a court of competent jurisdiction. The nature of the irregularity shall be
16 specified in the affidavit. The clerk of court shall immediately notify the secretary
17 of state by telephone and by written notice when such affidavit has been filed, and
18 shall notify the opponents of the candidate of the filing of the affidavit. The clerk
19 shall also supply a copy of the affidavit to each opponent of the candidate.

20 ~~E.~~ D. Discovery shall be limited to the taking of the deposition of any
21 election official, including his employees, having responsibilities regarding the
22 conduct of such election and the inspection and copying of documents and other
23 records in the custody and control of any such election official, but shall not include
24 access to voting machines prior to the date such machines are opened in accordance
25 with R.S. 18:573. The deposition of a statewide elected official or his employee
26 shall be conducted at the office of such official.

27 ~~D.~~ E. Upon the request of the candidate or recalled public officer, after the
28 filing of the affidavit as provided in Subsection ~~B~~ C of this Section, the clerk of any
29 district court shall issue subpoenas and subpoenas duces tecum in aid of the taking

1 of depositions and the production of documentary evidence for inspection or
2 copying, or both.

3 E. F. The authority for a candidate or recalled public officer to conduct
4 discovery under the provisions of this Section shall cease when an action contesting
5 such election is filed pursuant to R.S. 18:1405(B) or (H).

6 F. G. A candidate or recalled public officer who conducts limited discovery
7 as provided in this Section shall be responsible for all reasonable costs associated
8 with such discovery.

9 * * *

10 §1431. Fraudulent or illegal votes; uncounted votes; determination of election result

11 When the court finds that one or more of the votes cast in a contested election
12 are illegal or fraudulent, the judge shall subtract such vote or votes from the total
13 votes cast for the candidate who received them if the contest involves election to
14 office, ~~or~~ from the total vote for or against a proposition; if the contest is of an
15 election upon a proposition, or from the total vote for or against the recall of a public
16 officer if the contest involves an election for the recall of a public officer. If the
17 court determines that legal votes cast in the election were excluded in the total votes
18 cast on a candidate, ~~or~~ proposition, or recall, then these excluded legal votes shall be
19 added to the total votes on the candidate, ~~or the~~ proposition, or recall to which they
20 are attributable. Thereafter, and after considering all the evidence, the court shall
21 determine the result of the election.

22 §1432. Remedies

23 A.(1) If the trial judge in an action contesting an election determines that:
24 ~~(1)~~ it is impossible to determine the result of election, or ~~(2)~~ the number of qualified
25 voters who were denied the right to vote by the election officials was sufficient to
26 change the result in the election, if they had been allowed to vote, or ~~(3)~~ the number
27 of unqualified voters who were allowed to vote by the election officials was
28 sufficient to change the result of the election if they had not been allowed to vote, or
29 ~~(4)~~ a combination of ~~the~~ those factors referred to in ~~(2) and (3) in this Subsection~~

1 would have been sufficient to change the result had they not occurred, the judge may
2 render a final judgment declaring the election void and ordering a new primary or
3 general election for all the candidates, or, if the judge determines that the appropriate
4 remedy is the calling of a restricted election, the judge may render a final judgment
5 ordering a restricted election, specifying the date of the election, the appropriate
6 candidates for the election, the office or other position for which the election shall
7 be held, and indicating which voters will be eligible to vote.

8 (2) If the trial judge in an action contesting an election for the recall of a
9 public officer determines that: it is impossible to determine the result of election,
10 or the number of qualified voters who were denied the right to vote by the election
11 officials was sufficient to change the result in the election, if they had been allowed
12 to vote, or the number of unqualified voters who were allowed to vote by the election
13 officials was sufficient to change the result of the election if they had not been
14 allowed to vote, or a combination of these factors would have been sufficient to
15 change the result had they not occurred, the judge may render a final judgment
16 declaring the election void and ordering a new recall election, or, if the judge
17 determines that the appropriate remedy is the calling of a restricted election, the
18 judge may render a final judgment ordering a restricted election, specifying the date
19 of the election, and indicating which voters will be eligible to vote.

20 * * *

21 §1433. Revote in precincts where voting machine malfunctions if result cannot be
22 otherwise ascertained

23 A. Notwithstanding the provisions of R.S. 18:1432, if a discrepancy
24 sufficient to change the result of the election between the total votes cast at an
25 election and the votes counted for the candidates in the election or for or against the
26 recall of a public officer occurs as a result of a voting machine malfunction, and an
27 accurate count of the votes cast on the malfunctioning machine cannot be determined
28 by the offering of circumstantial evidence or any other evidence, the court shall order
29 a revote in the precinct where the voting machine malfunctioned, which shall be

1 limited to those persons listed on the poll list as having cast their ballots in person
2 at the polls in the election in which the machine malfunctioned.

3 B. Notwithstanding the provisions of R.S. 18:1432, if a discrepancy
4 sufficient to change the result of the election between the total votes cast at an
5 election and the votes counted for the candidates in the election or for or against the
6 recall of a public officer occurs as a result of the malfunction of a voting machine
7 used for early voting, and an accurate count of the votes cast on the malfunctioning
8 machine cannot be determined by the offering of circumstantial evidence or any
9 other evidence, the court shall order a revote of electronic early voting ballots in the
10 parish where the voting machine used for early voting malfunctioned, which shall
11 be limited to those persons who voted during early voting in the election.

12 * * *

13 §1941. Voting Rights Act submission by political subdivisions; copy to secretary
14 of state

15 A. Each political subdivision of this state which submits for preclearance any
16 proposed change in voting practice or procedure pursuant to Section 5 of the Voting
17 Rights Act of 1965 shall, at the same time as the submission, send a copy of its
18 submission, by certified mail, to the secretary of state, clerk of court, and registrar
19 of voters. The political subdivision shall also send to the secretary of state, clerk of
20 court, and registrar of voters, by certified mail, a copy of any response to the
21 submission.

22 B. The entity responsible for sending a copy of the submission and any
23 response thereto to the secretary of state, clerk of court, and registrar of voters, as
24 required pursuant to this Section, is the submitting authority as defined in the Voting
25 Rights Act of 1965.

26 * * *

27 Section 2. R.S. 18:1284(F) and 1299.1 are hereby amended and reenacted to read
28 as follows:

29 §1284. Resolution calling election; proposition

1 * * *

2 F.(1) The preparation of ~~the statement~~ of the proposition to be submitted to
3 the voters at an election shall be the responsibility of the governing authority of the
4 political subdivision ordering the election. The ~~statement of the~~ proposition shall
5 ~~also include a simple and unbiased concise summary in easily understood language~~
6 ~~which sets forth the substance of the proposition~~ include the information required by
7 this Section in simple, unbiased, concise, and easily understood language and be in
8 the form of a question. The ~~statement of the~~ proposition, ~~including the summary,~~
9 shall not exceed ~~four~~ two hundred words in length. ~~Such summary shall be placed~~
10 ~~at the beginning of the statement of the proposition.~~

11 (2) The secretary of state shall be responsible for ensuring that the ~~statement~~
12 ~~of the proposition contains the summary as provided in Paragraph (1) of this~~
13 ~~Subsection~~ complies with the requirements of this Section.

14 * * *

15 §1299.1. ~~Statement of question~~ Question or proposition to be voted on; ~~statement~~
16 length

17 A. The preparation of ~~the statement of any~~ a question or proposition to be
18 submitted to the voters at an election shall be the responsibility of the governing
19 authority or other entity calling the election or submitting the question or
20 proposition. The ~~statement of the~~ proposition shall ~~also include a simple and~~
21 ~~unbiased concise summary in easily understood language which sets forth the~~
22 ~~substance of the proposition~~ be comprised of simple, unbiased, concise, and easily
23 understood language and be in the form of a question. The ~~statement of the~~
24 proposition, ~~including the summary,~~ shall not exceed ~~four~~ two hundred words in
25 length. ~~Such summary shall be placed at the beginning of the statement of the~~
26 ~~proposition.~~

27 B. The secretary of state shall be responsible for ensuring that the ~~statement~~
28 ~~of the proposition contains the summary as provided in Subsection A~~ complies with
29 the requirements of this Section

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 Section 3. R.S. 18:1317 is hereby repealed in its entirety.

2 Section 4.(A) This Section, Section 1, and Section 3 of this Act shall become
3 effective upon signature of this Act by the governor or, if not signed by the governor, upon
4 expiration of the time for bills to become law without signature by the governor, as provided
5 by Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the
6 governor and subsequently approved by the legislature, this Section, Section 1, and Section
7 3 of this Act shall become effective on the day following such approval.

8 (B) Section 2 of this Act shall become effective on January 1, 2013.

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)]

Tim Burns

HB No. 852

Abstract: Revises the system of laws comprising the La. Election Code.

Present law (R.S. 18:25) requires the State Board of Election Supervisors to report annually to the governmental affairs committees of the legislature its findings, observations, and recommendations concerning all aspects of elections in the state. Requires the report to be submitted prior to the 90th day before each legislative session. Proposed law instead requires the report to be submitted by Jan. 15th each year. Otherwise retains present law.

Present law (R.S. 18:104) authorizes the secretary of state to prescribe a form to be used uniformly by registration officials in registering citizens to vote. Requires certain information to be included on the form, including the present age and date of birth of the applicant. Proposed law removes the present age of the applicant from the information required to be included on the registration application form. Otherwise retains present law.

Present law (R.S. 18:109) requires the Dept. of State to send a notice to the appropriate registrar and the registrar to mail a notice to the person when the Dept. of State receives information from a person concerning a new registration or any change in the person's registration. Proposed law provides that the notices shall be sent when the Dept. of State receives information concerning a change in name, address, or polling place, not other changes in the registration of a person.

Present law provides that the registrar is not required to send the notice to a voter who has been on the inactive list of voters for at least two years unless the change in registration involves a change in address. Proposed law removes language regarding being on the inactive list for two years. Otherwise retains present law.

Present law requires certain information to be printed on the face of a notice of change in registration, including directions to the postmaster to "deliver only as addressed; otherwise return to sender; address correction requested". Proposed law provides instead that "Return Service Requested" be printed on the face of the notice.

Present law (R.S. 18:152) provides that prior to each election, the registrar shall "request" a current precinct register and duplicate precinct register for each precinct in the parish

where an election is to be held. Proposed law requires the registrar to "obtain" one current copy of the precinct register and repeals the requirement for a hard copy duplicate precinct register. Provides that the Dept. of State will provide the registrar with a duplicate precinct register in electronic form instead.

Present law (R.S. 18:154) prohibits the registrar and the Dept. of State from disclosing certain voter information, including the day and month of the date of birth of a voter. Proposed law retains present law, but provides an exception for transmitting the full date of birth of a voter to the Supervisory Committee on Campaign Finance Disclosure to verify the identity of a candidate for purposes of campaign finance reporting.

Present constitution (Art. 1, §10) provides that a person's right to vote may be suspended while he is under an order of imprisonment for conviction of a felony. Present law (R.S. 18:177) provides procedures and requirements for reinstating a voter registration that has been suspended because of conviction of a felony. Generally requires the person to appear in the office of the registrar and provide documentation from the appropriate correction official showing the person is no longer under an order of imprisonment. Proposed law retains present law.

Present law provides an exception to the requirement to appear in person in the office of the registrar for certain disabled persons who qualify to voter under present law provisions regarding a special program for voters residing in nursing homes. Proposed law repeals present law and provides documentation may be provided by mail, facsimile, commercial carrier, or hand delivery for the following:

- (1) A person who has been approved by the parish board of election supervisors as being eligible to participate in the Special Program for Handicapped Voters as such program existed prior to Jan. 1, 2010.
- (2) A person who has submitted to the registrar current proof of disability from a physician along with a certification from the physician indicating that by reason of the person's disability the person is unable to appear in person to vote either during early voting or at the polling place on election day.

Present law (R.S. 18:402 and 1272) provides for the dates of primary and general elections. Provides that congressional general elections are held on the first Sat. in Dec. in even-numbered years. Authorizes a special general election and bond, tax, and other elections at which a proposition or question is to be submitted to the voters to be held on this date. Proposed law changes the date of the congressional general election from the first Sat. in Dec. to the second Sat. in Dec. Otherwise retains present law.

Present law provides that elections may not be held on certain prohibited days, including certain religious holidays. Provides that if the date of any election falls on any of the prohibited days, the election shall be held on the same weekday of the preceding week. Proposed law retains present law and additionally provides that if the date for the general election is advanced in accordance with present law, the primary election shall be advanced the same number of weeks as the general election

Present law (R.S. 18:427 and 435) provides for poll watchers. Provides for qualifications, powers, duties, appointment, and commission of watchers. Provides that each candidate is entitled to have one watcher at every precinct where the office he seeks is voted on in a primary or general election. Provides that a watcher shall be admitted within all parts of the polling place during the election and the counting and tabulation of votes, and shall call any infraction of the law to the attention of the commissioners. Proposed law specifies that watcher's responsibilities are limited to election day voting. Otherwise retains present law.

Present law (R.S. 18:431) requires the clerk of court to conduct a general course of instruction for commissioners at least semiannually. Proposed law changes this requirement

to provide that the course of instruction be conducted at least annually instead of semiannually.

Present law requires the clerk of court to file a report with the parish board of election supervisors and to the secretary of state following each course of instruction detailing certain information about the course and about the persons who attended the course. Proposed law removes the requirement that the clerk “file” the report with the secretary of state and provides instead that the clerk shall provide such report in the manner required by the secretary. Otherwise retains present law.

Present law (R.S. 18:461) provides that a person who desires to become a candidate in a primary election shall qualify by timely filing notice of his candidacy, which shall be accompanied either by a nominating petition or by the qualifying fee and any additional fee imposed. Provides requirements for nominating petitions. Proposed law retains present law.

Present law (R.S. 18:465) provides requirements for nominating petitions, including the number of qualified voters that must sign a petition. Provides that the registrars of voters in the parishes where signers reside certify that the petition was signed by a sufficient number of qualified voters. Requires petitions to be submitted to the registrars for such purposes. Proposed law retains present law.

Present law provides that a nominating petition shall be submitted to the appropriate registrars not less than 30 days before the qualifying period ends for candidates in the primary election or, in the case of presidential electors, in the presidential election, except that in a special election a nominating petition shall be submitted by the candidate to the registrars of voters in such parishes prior to the opening of the qualifying period.

Proposed law provides that for a special election to fill a vacancy in the office of state legislator or U.S. representative, the nominating petition must be submitted to the registrars not less than 14 days before the end of the qualifying period. Provides that for other special elections, the nominating petition must be submitted not less than 30 days before the end of the qualifying period. Otherwise retains present law.

Present law (R.S. 18:532.1) authorizes parish governing authorities to change the configuration, boundaries, or designation of election precincts by ordinance, subject to certain limitations and requirements. Requires a parish governing authority to, within 15 days after the adoption of the such an ordinance, send to the secretary of the Senate and the clerk of the House of Representatives as well as the secretary of state a certified copy of the ordinance and a copy of a map showing the new precinct boundaries together with a written description of such boundaries. Proposed law retains present law and additionally provides that such information shall also be sent to the clerk of court and registrar of voters.

Present law (R.S. 18:562 and 1309) provides prerequisites to voting on election day and during early voting. Provides procedures for identifying a potential voter. Requires each such person to present to the election officials a La. driver's license, a Louisiana special identification card issued pursuant to present law (R.S. 40:1321), or other generally recognized picture identification card that contains the name and signature of the person. Provides, however, that if the person does not have such an identification card, the person shall sign an affidavit, which is supplied by the secretary of state, to that effect before the election officials who shall place the affidavit in the envelope marked "Registrar of Voters" and attach the envelope to the precinct register. Requires the person to provide further identification by presenting his current registration certificate, giving his date of birth, or providing other information stated in the precinct register that is requested by the election officials. Provides that a person who is allowed to vote without the picture identification card required by present law is subject to challenge as provided in present law (R.S. 18:565).

Proposed law provides that the affidavit must be completed and signed by the person and that the affidavit contain the person's date of birth and mother's maiden name. Provides that

if the person is unable to read or write or is otherwise unable to complete the affidavit due to disability, the person may receive assistance in completing the affidavit and the election official shall make a notation on the affidavit. Provides that the person may choose who assists him, subject to certain specific restrictions. Removes provisions requiring the person to provide further identification. Otherwise retains present law.

Present law (R.S. 18:562) relative to voting on election day provides that a person who presents himself to vote shall be allowed to do so when the commissioner is satisfied that the person has identified himself as the voter named on the precinct register and that he is qualified to vote. Proposed law retains present law and adds such language to provisions relative to early voting (R.S. 18:1309).

Present law (R.S. 18:591, 602, and 604) provides a 10-day deadline for making an appointment to fill a vacancy in the offices of elective members of state boards and commissions and certain local and municipal offices. Provides a 10-day deadline for issuing a proclamation calling a special election for certain offices. Proposed law extends the deadlines to 20 days.

Present law (R.S. 18:602) provides for vacancies in the office of a member of a parish or municipal governing authority or a combination thereof, a mayor, or any other local or municipal office, except member of a city or parish school board, district attorney, clerk of a district court, coroner, sheriff, tax assessor, judge, state legislator, or marshal of a city or municipal court, and the office is filled by election wholly within the boundaries of a local governmental subdivision. Provides that if the unexpired term of such a municipal office is one year or more, but the vacancy occurs within one year of the regular municipal primary election for that office, no special election will be called and the appointee shall serve for the remainder of the term of office. Proposed law applies provisions of present law relative to the holding of a special election based on the timing of the regular primary election to parish offices covered by present law. Otherwise retains present law.

Present law (R.S. 19:1284 and 1299.1) provides relative to bond, debt, and tax elections and other elections where a proposition or question is put to the voters. Provides requirements for a statement of a proposition to be submitted to the voters. Provides that the statement is the responsibility of the governing authority, political subdivision, or other entity calling the election. Requires certain information to be included, including a simple, unbiased, and concise summary of the proposition. Provides that the statement of the proposition shall not exceed 400 words. Provides that the secretary of state is responsible for ensuring that the statement of the proposition contains a summary as required by present law.

Proposed law repeals references to a "statement of a proposition" and applies requirements to the proposition itself. Provides that the proposition shall not exceed 200 words, instead of 400. Requires the proposition to be stated in the form of a question. Provides that the secretary of state shall ensure that the proposition complies with proposed law. Otherwise retains present law.

Present law (R.S. 18:1307) provides relative to voting absentee by mail. Provides procedures and requirements. Requires a person to make application to the registrar by letter, over his signature or mark, setting forth certain required information. Proposed law retains present law.

Present law provides that an application to vote absentee by mail must be received by the registrar not earlier than 60 days prior to the election. Proposed law repeals present law.

Proposed law additionally provides that if a person applying to vote absentee by mail is a program participant in the Address Confidentiality Program pursuant to present law his application, if it meets the requirements of present law, shall remain valid as long as the applicant is a program participant in the Address Confidentiality Program. Provides that when the applicant ceases participation in the program, the registrar shall send notice by

forwardable mail to the applicant that his application will no longer be valid, and the applicant shall be required to submit a new application to the registrar that meets the requirements of present law and provide a current address before the applicant will be eligible to vote absentee by mail again.

Proposed law provides further that an applicant who has a valid La. driver's license or La. special identification card issued pursuant to present law (R.S. 40:1321) who is registered to vote, may make application to vote by mail by completing and submitting an electronic application to vote by mail on the secretary of state's website.

Present law (R.S. 18:1308 and 1308.1) requires the registrar to detach a perforated slip from an absentee by mail ballot before mailing or delivering the ballot and to retain the slip in his records for six months. Proposed law repeals present law.

Present law (R.S. 1308) provides procedures for voting absentee by mail. Provides relative to transmission of absentee by mail election materials. Provides that materials may be electronically transmitted to members of the U.S. Service and persons residing outside of the U.S. for federal candidates in congressional elections, presidential preference primary elections, and presidential elections. Proposed law retains present law and additionally provides that materials may be transmitted to members of the U.S. Service and persons residing outside the U.S. for all state and local elections.

Present law provides that if an absentee by mail voter feels he will not have time to vote timely by mail, the voter may request that the registrar transmit to him by facsimile a ballot. Proposed law retains present law, but provides that the registrar shall not be required to send a second ballot by facsimile if the voter received a ballot by mail.

Present law (R.S. 18:1309) provides relative to early voting. Provides procedures and requirements. Proposed law retains present law and provides that a voter shall not remain in a voting machine longer than three minutes, or 20 minutes if the voter is entitled to assistance in voting pursuant to present law (R.S. 18:1309.3) or is using the audio ballot. Provides that if a voter fails to leave a voting machine promptly after the registrar or deputy registrar has notified him that the applicable time period has elapsed, the registrar or deputy registrar shall have the voter removed from the voting machine.

Present law (R.S. 18:1309.1) requires the parish custodian, prior to the conduct of absentee voting, to provide notice to each candidate of the time and place at which the voting machines will be sealed for absentee voting in person; that each candidate or his representative may be present to observe the preparation of the machines; and that each candidate or his representative will have the opportunity to inspect and test vote the machines to see that they are in proper condition for the election. Provides that the notice shall state the time and place at which the parish custodian of voting machines will begin preparation of the machines for sealing and provides that the reasonable opportunity to inspect the machines shall not be less than 30 minutes beginning at the time designated by the parish custodian to begin preparation of the machines for sealing. Prohibits a candidate, his representative, or citizen from interfering with the registrar of voters, parish custodian, or any employee or technician or assuming any of their duties.

Proposed law requires each candidate to be notified at the time of qualifying instead of prior to the conduct of early voting. Provides that a candidate shall be notified to contact the registrar of voters concerning the time and place at which the voting machines will be prepared. Repeals provisions requiring the notice to contain the time and place for sealing. Provides that machines are prepared, tested, and sealed by the registrar in the presence of the parish board of election supervisors. Provides that a candidate may view the test vote tape for each machine instead of actually inspecting and testing the machines.

Present law (R.S. 18:1313) relative to the counting and tabulation of absentee by mail and early voting ballots. Provides that the parish board of election supervisors shall be

responsible for the counting and tabulation of all absentee by mail and early voting ballots in the parish. Provides procedures. Provides that the board first determine the validity of the ballots. Provides that the board then count the ballots and announce the total number of absentee by mail and early voting votes cast for a candidate and those cast for and against a proposition in the order the offices and candidates and propositions are listed on the ballot. Provides that if counting equipment is used, the board must ensure that the equipment's counters are set to zero prior to use. Requires the members of the board to enter the total number of votes on the final absentee by mail and early voting vote report and shall certify the results.

Proposed law retains present law and additionally provides that if a ballot is physically damaged or cannot properly be counted by the counting equipment and the board can tell the intent of the voter from the defective ballot, a true duplicate copy may be made of the defective ballot in the presence of witnesses and substituted for the ballot. Provides that the duplicate ballot shall be clearly labeled "duplicate", bear a ballot number which shall be recorded on the defective ballot and be counted in lieu of the defective ballot. Provides that after a ballot has been duplicated, the defective ballot shall be placed in the special absentee by mail and early voting ballot envelope and the duplicate ballot shall be counted with the other valid ballots

Present law provides that upon completion of the tabulation and counting, the board shall deliver the absentee by mail and early voting ballots to the registrar. Provides, however, that if the number of absentee by mail and early voting ballots cast for all candidates for an office could make a difference in the outcome of the election for such office, upon the written request of a candidate for such office, the board shall recount the absentee by mail and early voting ballots for such office. Proposed law provides that the absentee by mail ballots shall be recounted by hand and that the early voting ballots shall be counted electronically unless paper ballots were used for early voting, in which case the ballots shall be counted by hand. Otherwise retains present law.

Present law (R.S. 18:1317) provides that when the members of the board determine by proof satisfactory to them that a voter who has voted by absentee by mail or early voting ballot has died prior to the opening of the polls on the day of the election, they shall return the ballot or early voting application of the voter in the same manner as is provided in present law provisions relative to the challenge of ballots (R.S. 18:1315). Provides, however, that the casting of an absentee by mail or early voting ballot by a voter who thereafter dies or the tabulation of such a ballot shall not invalidate the election.

Proposed law repeals present law.

Present law (R.S. 18:1314) provides relative to absentee by mail and early voting commissioners. Provides for qualifications and selection. Provides that the parish board of election supervisors shall determine the number of absentee by mail and early voting commissioners necessary for an election. Requires the board to select at least three commissioners for the primary or first party primary election. Allows the board to increase or decrease the number of absentee by mail and early voting commissioners for a second party primary or general election.

Proposed law repeals the minimum number of absentee by mail and early voting commissioners that must be selected and provides for a maximum of six such commissioners. Requires approval of the secretary of state or his designee if the board seeks to use more than six absentee by mail and early voting commissioners for an election. Requires approval of the secretary of state or his designee to increase the number of commissioners to be used at the second party primary or general election. Provides that a designee of the secretary of state may approve the number of absentee by mail and early voting commissioners used to count and tabulate provisional ballots. Otherwise retains present law.

Present law (R.S. 18:1352) provides that voting machines shall be used throughout the state in all elections, provided that nothing in present law prohibits absentee by mail and early voting. Proposed law provides that paper ballots may be used when voting machines fail. Otherwise retains present law.

Present law provides procedures and time limits for contesting elections. Proposed law (R.S. 18:1401 and 1402) retains present law and additionally provides procedures and time limits for contesting recall elections. Provides that a public officer who alleges that, except for substantial irregularities or error, or except for fraud or other unlawful activities in the conduct of the election, he would not have been recalled may bring an action contesting the election. Provides that the secretary of state, in his official capacity, shall be made a party defendant to any action contesting an election for the recall of a public officer.

Proposed law (R.S. 18:1404, 1405, 1406, 1415) provides that an action contesting an election for the recall of a public officer shall be instituted in the district court for a parish included in whole or in part in the voting area wherein the recall election is held; however, if the public officer recalled is a statewide elected official, an action contesting the election shall be instituted in the district court for the parish where the state capitol is situated. Provides that an action contesting an election involving the recall of a public officer shall be instituted on or before 4:30 p.m. of the ninth day after the date of the election. Requires the petition in such an action to contain allegations that except for substantial irregularities or error, fraud, or other unlawful activities in the conduct of the election, the petitioner would not have been recalled. Provides further that if an action contesting an election involving the recall of a public officer has not been filed, the recalled public officer may conduct limited discovery as provided pursuant to present law during the period of time after the close of the polls on election day and prior to the expiration of time to file a suit contesting such election.

Present law (R.S. 18:1431) provides that when the court finds that one or more of the votes cast in a contested election are illegal or fraudulent, the judge shall subtract such vote or votes from the total votes cast for the candidate who received them if the contest involves election to office, or from the total vote for or against a proposition, if the contest is of an election upon a proposition. Provides that if the court determines that legal votes cast in the election were excluded in the total votes cast on a candidate or proposition, then these excluded legal votes shall be added to the total votes on the candidate or the proposition to which they are attributable. Provides that thereafter, and after considering all the evidence, the court shall determine the result of the election. Proposed law applies present law to votes cast in a recall election.

Present law (R.S. 18:1432) provides if the trial judge in an action contesting an election determines that: (1) it is impossible to determine the result of election, or (2) the number of qualified voters who were denied the right to vote by the election officials was sufficient to change the result in the election, if they had been allowed to vote, or (3) the number of unqualified voters who were allowed to vote by the election officials was sufficient to change the result of the election if they had not been allowed to vote, or (4) a combination of the factors referred to in (2) and (3) would have been sufficient to change the result had they not occurred, the judge may render a final judgment declaring the election void and ordering a new primary or general election for all the candidates, or, if the judge determines that the appropriate remedy is the calling of a restricted election, the judge may render a final judgment ordering a restricted election, specifying the date of the election, the appropriate candidates for the election, the office or other position for which the election shall be held, and indicating which voters will be eligible to vote. Proposed law applies present law to actions contesting recall elections.

Present law (R.S. 18:1433) provides for a revote at a precinct when a discrepancy sufficient to change the result of the election is caused because of a voting machine malfunction. Proposed law applies present law to recall elections.

Present law (R.S. 18:1300.13) provides that when a majority votes in favor of the recall, the public officer is, ipso facto, recalled and removed from office, and the office shall be vacated upon receipt by the secretary of state of certified returns from all of the parish boards of election supervisors within the jurisdiction. Proposed law provides instead that the office shall be vacated upon expiration of the time period for contesting the recall election set forth in proposed law if an action contesting the recall election is not commenced timely or when the final judgment becomes definitive if an action contesting the recall election is commenced timely.

Present law (R.S. 18:1941) provides that each political subdivision of the state which submits for preclearance any proposed change in voting practice or procedure pursuant to federal law (Section 5 of the Voting Rights Act of 1965) shall, at the same time as the submission, send a copy of its submission, by certified mail, to the secretary of state. Provides that the political subdivision shall also send to the secretary of state, by certified mail, a copy of any response to the submission. Proposed law retains present law and additionally requires that such copies must be sent to the clerk of court and registrar of voters.

Proposed law makes various technical changes.

Effective upon signature of governor or lapse of time for gubernatorial action, except that provisions of proposed law relative to propositions submitted to voters become effective Jan. 1, 2013.

(Amends R.S. 18:25(B), 104(A)(3), 109, 152(C)(2)(a), 154(C), 177(A), 402(B)(2), (E)(1)(b) and (2)(b), (F)(2), and (G), 427(B), 431(A)(1)(a) and (3)(a) and (B)(3), 435(A), 465(E)(1)(a), 532.1(F), 562(A)(2), 591, 602(A), (B), (C), (D), (E)(1)(a), (2)(a), and (4), and (F), 604(B)(1) and (2)(a), 1272(A), 1284(F), 1299.1, 1300.13, 1302(2), 1307(B)(1)(d) and (2) and (H), 1308(A)(1) and (2)(d), (e), (f), and (g), 1308.1(A), 1309(D)(1) and (E)(4), 1309.1, 1313(F)(9) and (10) and (I)(2)(a), 1314(B)(1), (C)(1)(b) and (3), and (D)(2), 1352, 1402(C), 1406(B), 1415(B), (C), (D), (E), and (F), 1431, 1432(A), 1433(A) and (B), and 1941(A) and (B); Adds R.S. 18:1307(I), 1308(A)(2)(h), (i), and (j), 1309(E)(5), 1313(F)(11), 1401(F), 1404(E), 1405(H), and 1415(G); Repeals R.S. 18:1317)