

Regular Session, 2012

HOUSE BILL NO. 385

BY REPRESENTATIVE MORENO

ELECTION CODE: Provides relative to registration and voting by certain displaced registrants

1 AN ACT

2 To amend and reenact R.S. 18:101(F), relative to voter registration and voting; to provide
3 relative to qualifications for registration and voting; to provide relative to the
4 residence of persons involuntarily displaced by the effects of certain states of
5 emergency for such purposes; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:101(F) is hereby amended and reenacted to read as follows:

8 §101. Registration to vote; qualifications; more than one residence; presidential
9 elections

10 * * *

11 F. A person who has been involuntarily displaced from his place of residence
12 by the effects of a gubernatorially declared state of emergency shall not be
13 considered to have vacated his residence and shall be considered to be an actual bona
14 fide resident of the state and parish in which he is registered to vote unless ~~he has~~
15 ~~either established a new domicile or has changed~~ any of the following occurs:

16 (1) He changes his registration to an address outside the voting district.

17 (2) He claims a homestead exemption pursuant to Article VII, Section 20 of
18 the Constitution of Louisiana on a different residence.

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)]

Moreno

HB No. 385

Abstract: Provides that a displaced registrant shall not be considered to have vacated his residence for purposes of voter registration and voting, unless he claims a homestead exemption at a different residence.

Present law provides relative to qualifications for registering to vote. Provides generally that every citizen of the state who is at least 18 or will attain that age on or before the next election; who is an actual bona fide resident of the state and the parish, municipality, if any, and precinct in which he offers to register as a voter; who is not disfranchised; and who complies with the provisions of present law shall be eligible to register to vote in local, state, and national elections held in the state.

Present law defines "resident" for purposes of voter registration and voting as a citizen who resides in the state and in the parish, municipality, if any, and precinct in which he offers to register and vote, with an intention to reside there indefinitely. Provides that if a citizen resides at more than one place in the state with an intention to reside there indefinitely, he may register and vote only at one of the places at which he resides. Provides further that if a person claims a homestead exemption pursuant to present constitution (Const. Art. VII, §20) on one of the residences, he shall register and vote in the precinct in which that residence is located, subject to certain exceptions for residents of nursing and veterans' homes.

Proposed law retains present law.

Present law provides that a person who has been involuntarily displaced from his place of residence by the effects of a gubernatorially declared state of emergency shall not be considered to have vacated his residence and shall be considered to be an actual bona fide resident of the state and parish in which he is registered to vote unless he has either (1) established a new domicile or (2) changed his registration to an address outside the voting district.

Proposed law provides instead that present law applies unless (1) the person changes his registration address or (2) he claims a homestead exemption at a different residence.

(Amends R.S. 18:101(F))