

Regular Session, 2012

HOUSE BILL NO. 917

BY REPRESENTATIVE BROSSETT

ELECTIONS/ABSENTEE VOTE: Provides relative to absentee voting by mail

1 AN ACT

2 To amend and reenact R.S. 18:1308(B), relative to absentee voting by mail; to provide  
3 relative to procedures for voting absentee by mail; to provide relative to the means  
4 by which absentee voting materials may be returned to the registrar; to require  
5 certification under certain circumstances; to provide for limitations; to provide for  
6 definitions; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:1308(B) is hereby amended and reenacted to read as follows:

9 §1308. Absentee voting by mail

10 \* \* \*

11 B. The ballot shall be marked as provided in R.S. 18:1310 and returned to  
12 the registrar by the United States Postal Service, a commercial courier, or hand  
13 delivery. If delivered by other than the voter, a commercial courier, or the United  
14 States Postal Service, the registrar shall require that the person making such delivery  
15 sign a statement, prepared by the secretary of state, certifying that he has the  
16 authorization and consent of the voter to hand deliver the marked ballot. For  
17 purposes of this Subsection, "commercial courier" shall have the same meaning as  
18 provided in R.S. 13:3204(D). No person except the immediate family of the voter,  
19 as defined in this Code, shall hand deliver more than one marked ballot to the  
20 registrar. Upon its receipt, the registrar shall post the name and precinct of the voter  
21 as required by R.S. 18:1311.

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**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)]

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Brossett

HB No. 917

**Abstract:** Provides relative to the return of voted absentee by mail ballots to the registrar.

Present law provides relative to absentee voting by mail. Specifies the persons who are entitled to vote absentee by mail. Provides procedures for making application to vote absentee by mail, for receiving absentee voting materials, and for marking the ballot and executing other required documents. Requires materials mailed to a voter to include ballot envelopes and return envelopes; requires the return envelopes to bear the official title and mailing address of the registrar. Proposed law retains present law.

Present law, requires the ballot to be returned in the appropriate envelopes to the registrar who, upon receiving it, is required to post the name and precinct of the voter as required by present law.

Proposed law retains present law and provides for the following means by which such ballot shall be returned to the registrar: the U.S. Postal Service (USPS), a commercial courier, or hand delivery. Provides that if a ballot is delivered by other than the voter, USPS, or a commercial courier, the registrar must require that the person making the delivery sign a statement, prepared by the secretary of state, certifying that he has the authorization and consent of the voter to hand deliver the marked ballot. Prohibits anyone but the immediate family of the voter to hand deliver more than one marked ballot to the registrar.

Proposed law defines "immediate family" as in present law: the individual's children, the spouses of his children, his brothers and their spouses, his sisters and their spouses, his parents, his spouse, and the parents of his spouse. Defines "commercial courier" as in present law: any foreign or domestic business entity having as its primary purpose the delivery of letters and parcels of any type, and which:

- (1) Acquires a signed receipt from the addressee, or the addressee's agent, of the letter or parcel upon completion of delivery.
- (2) Has no direct or indirect interest in the outcome of the matter to which the letter or parcel concerns.

(Amends R.S. 18:1308(B))

Summary of Amendments Adopted by House

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

1. Specifies that a voter who delivers his own ballot is not required to execute a certification.
2. Replaces the term "commercial delivery service" with "commercial courier" and provides that "commercial courier" has the same meaning as provided in R.S. 13:3204(D).