

2025 Regular Session

HOUSE BILL NO. 281

BY REPRESENTATIVE WYBLE

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

ELECTION OFFENSES: Provides relative to acts prohibited during early voting or on election day

1 AN ACT

2 To amend and reenact R.S. 18:1462(A)(4), relative to acts prohibited during early voting or
3 on election day; to prohibit the wearing of campaign apparel; to provide for
4 penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 18:1462(A)(4) is hereby amended and reenacted to read as follows:

7 §1462. Acts prohibited during early voting or on election day; electioneering;
8 intimidation; exceptions; enforcement; penalties

9 A. The Legislature of Louisiana recognizes that the right to vote is a right
10 that is essential to the effective operation of a democratic government. In order to
11 preserve the integrity of its election process, and to protect the right of citizens to
12 vote freely for the candidates of their choice, the state has a compelling interest in
13 establishing a zone securing polling locations against certain conduct and activities,
14 including voter intimidation, election fraud, confusion, and general disorder, that
15 would interfere with the exercise of the right to vote. The legislature, therefore,
16 enacts this Subsection to provide for a six hundred foot campaign-free zone around
17 polling places to provide to each voter such an environment in which to exercise his
18 right to vote. Except as otherwise specifically provided by law, it shall be unlawful
19 for any person, between the hours of 6:00 a.m. and 9:00 p.m., to perform or cause to
20 be performed any of the following acts within any polling place being used in an

1 election on election day or during early voting, or within a radius of six hundred feet
2 of the entrance to any polling place being used in an election on election day or
3 during early voting:

4 * * *

5 (4) To place, wear, or display political signs, campaign apparel, pictures, or
6 other forms of political advertising which advocate for or against any candidate,
7 proposition, or political party appearing on the ballot in the election.

8 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 281 Engrossed

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Wyble

Abstract: Prohibits wearing campaign apparel at a polling place during early voting or on election day.

Present law prohibits a person from doing any of the following within any polling place being used in an election on election day or during early voting, or within a radius of 600 feet of the entrance to any polling place being used in an election on election day or during early voting:

- (1) To solicit in any manner or by any means whatsoever any other person to vote for or against any candidate or proposition being voted on in such election.
- (2) To remain within any such polling place or within a radius of six hundred feet of the entrance of any such polling place, except when exercising the right to vote, after having been directed by an election commissioner, law enforcement officer, registrar, or deputy registrar to leave the premises or area of a polling place.
- (3) To hand out, place, or display campaign cards, pictures, or other campaign literature of any kind or description whatsoever which advocate for or against any candidate, proposition, or political party appearing on the ballot in the election.
- (4) To circulate a petition or seek handwritten signatures to a petition.

Proposed law retains present law.

Present law additionally prohibits a person from placing or displaying forms of political advertising which advocate for or against any candidate, proposition, or political party appearing on the ballot in the election. Proposed law retains present law and adds wearing forms of political advertising to the prohibition.

Present law specifies political signs and pictures as forms of political advertising which are prohibited. Proposed law retains present law and adds campaign apparel to the prohibition.

Present law authorizes the duly constituted law enforcement officers of the political subdivision in which an election is being held to enforce the provisions of present law when requested to do so by a registrar, deputy registrar, commissioner-in-charge, or commissioner. Authorizes the registrar, deputy registrars, commissioners-in-charge, and commissioners to enforce the provisions of present law at the polling places. Authorizes the law enforcement officers, commissioners-in-charge, commissioners, deputy registrars, and registrar to seize, remove, and destroy any political cards, signs, pictures, or literature being used or displayed in violation of any of the provisions of present law.

Present law provides that whoever violates any provision of present law shall be fined not more than \$500 or be imprisoned for not more than six months, or both. Provides that on a second offense or any succeeding offense, the penalty shall be a fine of not more than \$1,000 or imprisonment for not more than one year, or both.

Proposed law retains present law and makes present law applicable to proposed law.

(Amends R.S. 18:1462(A)(4))