

1 provide for affidavits and attestations; to provide for the reinstatement of voter
2 registration; to provide for name changes; to provide for address data for annual
3 canvas; to provide for polling places during a state of emergency; to provide for
4 consolidation of polling places; to provide for election dates and the calculation of
5 days related thereto; to provide for commissioner qualifications and selection; to
6 provide for alternate political party super watchers; to provide for ballot
7 arrangement; to provide for voting in the presidential preference primary election;
8 to provide for testing of voting machines; to provide for replacement absentee by
9 mail ballots; to provide for tabulation and counting of absentee by mail and early
10 voting ballots; to provide for the validity of ballots deemed challenged; to provide
11 for address confirmation for nursing home early voting program participants; to
12 provide for the allocation of voting machines; to provide for the requirements of the
13 secretary of state related to an objection to candidacy; to provide for actions
14 contesting an election on a proposed constitutional amendment; to provide for the
15 preparation of a question or proposition to be submitted to voters; to provide for the
16 filling of vacancies in closed party primary offices; to provide for emergency
17 elections; to provide for closed party primary ballot selection by an unaffiliated
18 voter; to provide for procedural requirements as they relate to closed party primary
19 elections; to provide for the effectiveness of Act No. 1 of the 2024 First
20 Extraordinary Session of the Legislature and Act No. 640 of the 2024 Regular
21 Session of the Legislature and specific provisions thereof; to provide for definitions;
22 to correct terminology; and to provide for related matters.

23 Be it enacted by the Legislature of Louisiana:

24 Section 1. R.S. 18:2(4), 18(D), 25(B), 104(C)(1)(introductory paragraph), 108(A)
25 and (C), 111, 154(C)(2)(e), 401.2(A) and (B)(1), (2), and (3), 402(E)(1)(introductory
26 paragraph), and (G)(1), 425.1, 426(A) and (B), 434(A)(1), 435(A)(4)(b) and (c), 531(B),
27 533(A)(2) and (B)(1), 534(A) and (B)(1) and (2)(a), 553(E)(2), 571(A)(8), 573(E)(1) and (4),
28 1259(B)(6) and (C), 1280.21(B), 1285(B)(1)(a), 1286.1, 1299.1, 1300(C)(1), 1300.7(A),
29 1300.11, 1306(E)(1)(f), 1309(D)(1)(c) and (d) and (2), (E)(1), and (N)(2), 1309.1(A),

1 1313(F), (H)(3), and (K)(1), 1313.1(F), (I)(2), and (L)(1), 1315(D)(1), 1333(D)(2) and (E),
2 1363(A)(3) and (4), 1405(C), and 1501.3(C)(introductory paragraph) are hereby amended
3 and reenacted and R.S. 18:2(20), Part IV of Chapter 6 of Title 18 of the Louisiana Revised
4 Statutes of 1950, comprised of R.S. 18:1280.31, 1286(C), 1310(E), 1333(D)(3), and 1409(K)
5 are hereby enacted to read as follows:

6 §2. Definitions

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

9 * * *

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

13 * * *

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

18 * * *

19 §18. Secretary of state; powers and duties

20 * * *

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

30 * * *

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

1 §25. Annual reports

2 * * *

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

13 * * *

14 §104. Application for registration; form

15 * * *

16 C.(1) The form shall inform the applicant of the penalty for violation of
17 applicable laws relating to registration of voters and shall contain an ~~affidavit~~
18 attestation to be subscribed, through a handwritten signature, attesting to each of the
19 following:

20 * * *

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

23 A. If the registrant's application indicates that the applicant previously
24 registered as a voter in any other parish, and if the previous ~~voter registration~~
25 ~~certificate or~~ notice of registration is available, then before making a new registration
26 the registrar shall require the applicant to surrender his previous ~~certificate or~~ notice
27 for cancellation. The registrar shall promptly notify the registrar of the parish in
28 which the applicant has registered previously, through the statewide voter
29 registration system, of the present registration. The other registrar shall verify the

1 cancellation of the voter's registration in the other parish; however, the cancellation
2 shall not be made as long as the registrant has the right to vote in the parish of his
3 former residence as provided in R.S. 18:110(C).

4 * * *

5 C. For any voter whose registration has been canceled because the voter has
6 registered in another parish or in another state, if such voter makes application to
7 register in the parish in which he was previously registered to vote ~~within three years~~
8 ~~after the cancellation of his registration in that parish~~, and the registrar determines
9 that he is qualified to register to vote in that parish, the voter's information in the
10 statewide voter registration system from his previous registration shall be reinstated,
11 except that any necessary changes shall be made to such information, including but
12 not limited to the voter's new address, and he shall receive an updated ~~certificate or~~
13 notice of registration.

14 * * *

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

16 A. In order to remain a legal registrant, a person who changes his name by
17 virtue of a judgment of court shall produce in the presence of or, if required, file with
18 the registrar or any person authorized to accept voter registration applications a
19 certified copy of the judgment, his Louisiana driver's license, Louisiana special
20 identification card, or social security number, or his affidavit attestation setting forth
21 the pertinent facts containing the change of name.

22 B. A married ~~woman, at her option, person~~ person may be registered ~~in her maiden~~
23 ~~name, her present husband's name, using the surname of either or both spouses as a~~
24 surname, or in a hyphenated combination thereof. If divorced, widowed, or
25 remarried, ~~she~~ the applicant may be registered ~~in her maiden name using his~~
26 surname, in the surname of ~~her~~ the deceased or former or present ~~husband~~ spouse,
27 or in a hyphenated combination thereof. ~~A change of name allowed by this~~
28 ~~Subsection shall be made by producing in the presence of the~~ A person who changes
29 his name by virtue of marriage shall submit a voter registration application to the

1 registrar or other person authorized to accept voter registration applications ~~her~~
2 ~~affidavit stating~~ that contains the applicant's social security number, valid Louisiana
3 driver's license number or Louisiana special identification card number, or affidavit
4 setting forth the name under which ~~she~~ the applicant desires to be registered as
5 allowed by this Section.

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

10 * * *

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

12 * * *

13 C.

14 * * *

15 (2)

16 * * *

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

23 * * *

24 §192. Annual canvass; costs

25 A.(1) No later than June thirtieth, the registrar of voters of each parish in
26 conjunction with the Department of State shall annually canvass the names of the
27 registrants in all precincts in the parish. Failure of the registrar to conduct an annual
28 canvass as provided in this Subsection shall constitute willful misconduct relating
29 to his official duty for the purposes of R.S. 18:53. The Department of State shall use

1 ~~the United States Postal Service or its licensee~~ address data obtained pursuant to a
 2 written agreement from another state or federal governmental agency or private
 3 vendor that provides voter registration and address data to verify the names and
 4 addresses of the registrants in all precincts in the state. A verification ~~by the United~~
 5 ~~States Postal Service or its licensee~~ of address data shall constitute a valid canvass
 6 of the registered voter.

7 (2) In conducting the verification, if ~~the United States Postal Service or its~~
 8 ~~licensee provides~~ the obtained address data indicates a corrected address, the
 9 Department of State shall furnish the corrected address to the appropriate registrar
 10 of voters. Upon receiving a corrected address inside the parish, either the
 11 Department of State or the registrar of voters shall update the voter's address on the
 12 statewide registration system and mail a new voter information card to the voter
 13 using the corrected address provided and an address confirmation notice as provided
 14 in R.S. 18:193. If the new voter information card using the corrected address is
 15 returned to the registrar and the voter has failed to return the address confirmation
 16 notice, the registrar shall consider the address not corrected. The registrar shall
 17 change his records to reflect the prior address on file for that voter. If the corrected
 18 address is outside of the parish, the registrar of voters shall not make the change on
 19 his records and shall send an address confirmation notice as provided in R.S. 18:193.

20 * * *

21 §401.2. ~~Relocation of~~ Change to polling places; state of emergency

22 A. Notwithstanding the provisions of R.S. 18:~~425.1~~, 534, 535, 536, ~~and~~ 537,
 23 1286, and 1286.1, if any polling place is determined by the clerk of court in
 24 conjunction with the secretary of state to be destroyed, inaccessible, or unsafe due
 25 to an emergency or common disaster occurring before or during a regularly
 26 scheduled or special election, the secretary of state may issue a certification of a state
 27 of emergency allowing the relocation, or other change, of any such polling place,
 28 including consolidation of polling places or providing for multiple polling places in
 29 a precinct, when such action would allow voting to continue without the necessity

1 of the issuance of an executive order by the governor for a suspension or delay
2 pursuant to R.S. 18:401.1(B). Upon issuance of such a certification, the clerk of
3 court and the presiding officer of the parish governing authority shall ~~relocate~~
4 implement the necessary change for any such polling place. ~~The~~ If relocated, the
5 polling place shall be relocated to the nearest feasible and accessible location as
6 determined by the secretary of state, upon the recommendation of the clerk of court
7 in conjunction with the presiding officer of the parish governing authority.

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

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

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

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

23 * * *

24 §402. Dates of primary and general elections

25 * * *

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

1 §435. Watchers; appointment and commission

2 A.

3 * * *

4 (4)

5 * * *

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

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

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

17 (iv) In a parish with one hundred fifty thousand or more but fewer than two
18 hundred thousand registered voters, the parish executive committee of the recognized
19 political party may designate four political party super watchers and four alternate
20 political party super watchers.

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

24 (c) Each political party super watcher shall have the qualifications, powers,
25 and duties of watchers provided for by R.S. 18:427 and shall be admitted as a
26 watcher in every precinct in the designated parish where a candidate affiliated with
27 his political party is on the ballot, except that not more than one political party super
28 watcher may serve at a single precinct at the same time. Both a political party super
29 watcher and an alternate political party super watcher may serve on election day,

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

6 * * *

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

9 * * *

10 E. Maintenance of precinct registers on election day.

11 * * *

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

15 * * *

16 §571. Procedures for commissioners after termination of voting

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

20 * * *

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

29 * * *

1 §573. Evidence of election results

2 * * *

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

12 * * *

13 (4) The registrar shall scan the address confirmation notice, voter
14 identification affidavit, ~~disability documentation~~ voter assistance form, or voter
15 registration application and add it to the voter's record in the state voter registration
16 computer system after processing.

17 * * *

18 §1259. Arrangement of ballot; designation of party candidates

19 * * *

20 B.

21 * * *

22 (6) In preparing the ballots, the secretary of state shall arrange the names of
23 the candidates of recognized political parties alphabetically, according to the names
24 of the parties, followed by the names of the candidates nominated by nominating
25 petitions and by the filing of notices of candidacy, listed alphabetically by the first
26 word of the political principle designated in the notice of candidacy ~~designation of~~
27 ~~political principle~~.

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

4 * * *

5 §1280.21. Presidential preference primary election

6 * * *

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

11 * * *

12 PART IV. GENERAL PROVISIONS

13 §1280.31. Definitions

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

16 * * *

17 §1285. Notice of election

18 * * *

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

1 certificate to the secretary of state, unless prior to the printing of the ballots the
2 revision will correct a typographical error and the revision has been approved by the
3 governing authority that called the proposition election.

4 * * *

5 §1286. Polling places; election officers

6 * * *

7 C. When the number of commissioners for each precinct in an election called
8 on a general election date under the provisions of this Chapter is less than the
9 number of commissioners chosen for the primary election date, the appropriate
10 number of commissioners shall be chosen from the list of commissioners who
11 worked at the precinct for the primary election.

12 * * *

13 §1286.1. Authority to consolidate polling places; reduction of number of voting
14 machines and election officials

15 A. Notwithstanding any provision of R.S. 18:1286(A), when an election
16 called under the provisions of this Chapter is not held at the same time as the election
17 of any public official, in cases where ~~more than one polling place is within the same~~
18 ~~location~~ a single location serves as the polling place of more than one precinct the
19 parish board of election supervisors may consolidate the polling places in that
20 location so that a single polling place may serve each precinct assigned to that
21 location for that election and may reduce the number of voting machines to be used
22 in the election below the number fixed by R.S. 18:1363 and, in such case, shall
23 notify, in accordance with the time line provided in R.S. 18:1363(H), the parish
24 custodian of voting machines and the secretary of state of the number of machines
25 to be prepared and delivered ~~for the polling places so consolidated~~ to the location of
26 the consolidated polling place.

27 B. ~~Whenever~~ When the parish board of election supervisors consolidates
28 polling places as authorized by Subsection A of this Section, it shall appoint a
29 commissioner-in-charge to serve ~~at each such~~ all precincts assigned to the

1 consolidated polling place and may reduce to not less than two the number of
2 commissioners and alternate commissioners to be appointed to serve ~~at each such~~
3 ~~polling place~~ the location of the consolidated polling place.

4 * * *

5 §1299.1. Question or proposition to be voted on; length

6 A. The preparation of a question or proposition to be submitted to the voters
7 at an election shall be the responsibility of the governing authority or other entity
8 calling the election or submitting the question or proposition. The proposition shall
9 be comprised of simple, unbiased, concise, and easily understood language and be
10 in the form of a question. The proposition shall not exceed two hundred words in
11 length and shall not include words that are struck through, underscored, or in
12 boldface type. The governing authority shall be responsible for ensuring that the
13 proposition is comprised of simple, unbiased, concise, and easily understood
14 language.

15 B. The secretary of state shall be responsible for ensuring that the
16 proposition ~~complies with the requirements of this Section~~ does not exceed two
17 hundred words in length, does not include words that are struck through,
18 underscored, or in boldface type, and is in the form of a question.

19 §1300. Procedures; notice of election; expenses

20 * * *

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

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

1 election district of the officer whose recall is at issue.)"

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

5 "FOR the Recall. () _____

6 AGAINST the Recall. () _____"

7 ~~After the words "FOR the Recall", shall be a blank square, and after the words~~
8 ~~"AGAINST the Recall", shall be a blank square. The ballot shall provide~~
9 ~~instructions for voting.~~

10 * * *

11 §1306. Preparation and distribution of absentee by mail and early voting ballots

12 * * *

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

16 * * *

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

21 * * *

22 §1309. Early voting; verification

23 * * *

24 D.(1)

25 * * *

26 (c) If satisfied that the voter has identified himself as the voter registered in
27 the state voter registration computer system ~~or named on the precinct register~~ and
28 that he is qualified to vote, the registrar or his deputy shall initial the ~~precinct register~~
29 ~~or early voting list~~ register kept by the registrar opposite the voter's signature or

1 mark. The voter then shall be allowed to vote.

2 (d) A voter who votes without the picture identification required by
3 Subparagraph (a) of this Paragraph is subject to challenge as provided in R.S.
4 18:1315.

5 (2) If the voter's name is found in the state voter registration computer
6 system ~~or precinct register~~ on the inactive list of voters, the voter shall be required
7 to complete an address confirmation card to determine his eligibility to vote.

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

11 * * *

12 N.

13 * * *

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

17 * * *

18 §1309.1. Preparation of machines for early voting; examination by candidate or his
19 representative; sealing machines

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

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

8 * * *

9 §1310. Execution of certificate; marking of ballot; casting vote; assistance

10 * * *

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

15 * * *

16 §1313. Tabulation and counting of absentee by mail and early voting ballots

17 * * *

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

22 * * *

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

25 * * *

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

29 * * *

30 K.(1) Upon completion of the tabulation and counting of the absentee by

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

* * *

13 §1313.1. Preparation, verification, tabulation, and counting of absentee by mail and
 14 early voting ballots

* * *

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

* * *

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

* * *

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

* * *

24 L.(1) Upon completion of the tabulation and counting of the absentee by

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

13 * * *

14 §1315. Challenge of absentee by mail or early voting ballot

15 * * *

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

20 * * *

21 §1333. Nursing home early voting program; voting by persons residing in a nursing
 22 home

23 * * *

24 D.

25 * * *

26 (2) An application to vote in the nursing home early voting program that
 27 satisfies the requirements of this Section shall remain valid indefinitely unless the
 28 voter submits a written request to the registrar to be removed from the program, the
 29 letter provided for in Subsection E of this Section is returned to the registrar or voters

1 days prior to the election.

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

4 * * *

5 §1405. Time for commencement of action

6 * * *

7 C. An action contesting an election on a proposed constitutional amendment
8 shall be instituted no earlier than the day after the election and not later than
9 4:30 p.m. of the tenth day after promulgation of the results of the election by the
10 secretary of state.

11 * * *

12 §1409. Trial; decision; appeal

13 * * *

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

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

22 * * *

23 §1501.3. Gubernatorial transition and inauguration; contribution limits; reports

24 * * *

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

30 * * *

1 Section 2. R.S. 18:192(A)(1), 402(A)(1), (D) and (E)(1), 410.1 through 410.3,
2 410.4(B), 410.5(A), 410.6(B)(1) and (2), 410.7(A), (B)(1) and (2), and (C), 410.8, 410.9(A),
3 435(B)(1), 501(A)(1), (B)(1), and (C), 551(B), (C)(1)(c)(i) and (2), and (D), 1279,
4 1285(B)(1)(a), 1307(E), and 1309(N)(5) and (7) are hereby amended and reenacted and R.S.
5 18:401.1(H), 1307(L), and 1310(F) are hereby enacted to read as follows:

6 §192. Annual canvass; costs

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

18 * * *

19 §401.1. Election emergency; purpose; elections emergency contingency plan

20 * * *

21 H. For purposes of this Section, a vacancy in a party primary office that may
22 not be filled by appointment, designation, or in accordance with the timeframes
23 required by law shall constitute an emergency. If the vacancy may not be filled in
24 a timely manner in accordance with the election dates provided for in R.S. 18:402,
25 the governor may proclaim a state of emergency for purposes of calling a special
26 election to fill the vacancy. Notwithstanding the provisions of R.S. 18:401.3,
27 following the issuance of the emergency proclamation, the authority required by law
28 to call a special election to fill the vacancy in office shall, in consultation with and
29 with the certification of the secretary of state, issue a proclamation ordering a special

1 election. The proclamation ordering the special election shall include the dates for
2 qualifying, early voting, the primary election, the general election, and at least one
3 party primary election and make all provisions necessary to conduct an election in
4 a timely manner notwithstanding the dates, timing, and delays otherwise provided
5 by this Code.

6 * * *

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

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

16 * * *

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

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

22 (b) There shall be a spring election held on the sixth Saturday after the third
23 Saturday in April which shall be a general election for municipal and ward officers
24 elected in the spring of a nongubernatorial election year. This date shall also serve
25 as the second party primary election, if necessary, for a special election called to fill
26 a vacancy in a party primary office.

27 (2) Fall elections. (a) There shall be a fall primary election held on the
28 second Saturday in October for parochial and municipal officers in a parish
29 containing a municipality with a population of three hundred thousand or more. This

1 date shall serve as the general election for a special election called to fill a vacancy
2 in a party primary office.

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

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

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

18 * * *

19 §410.1. Party primary elections

20 Party primary elections for party primary offices as defined in R.S. 18:2 shall
21 be held pursuant to this Part, and any provision of this Code in conflict with these
22 provisions shall not be applicable to elections for party primary offices. Any
23 provision of this Code that is not in conflict with these provisions shall be applicable
24 to these elections unless the context clearly indicates otherwise. For purposes of this
25 Part, the phrase "~~recognized~~ major political party" shall mean a political party
26 recognized pursuant to R.S. 18:441(C).

27 §410.2. Party primary office; party primary qualifications

28 ~~Recognized~~ Major political parties shall make nominations of candidates for
29 party primary office as provided in this Part. Only candidates affiliated with a

1 ~~recognized~~ major political party may participate in the party primary election of the
2 political party of the candidate's party affiliation.

3 §410.3. Purpose and nature of party primary elections

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

8 B. Voters not affiliated with a political party may vote in a ~~recognized~~ major
9 party primary if a party primary ballot is selected by the voter prior to casting his
10 ballot, but such a voter may vote only in one ~~recognized~~ major party primary. If an
11 unaffiliated voter chooses to vote in the first party primary of one political party, the
12 unaffiliated voter shall not vote in the second party primary of another political
13 party.

14 §410.4. Manner of qualifying for a party primary election

15 * * *

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

22 §410.5. Nominating petitions

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

29 * * *

1 §410.6. Death of a candidate; procedure; selection of party nominee

2 * * *

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

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

24 * * *

25 §410.7. Party candidates who qualify for a general election

26 A. The candidate who receives the majority of votes in the party primary
27 qualifies for the general election as the party's nominee for the office. All candidate
28 nominations for a party primary office by ~~recognized~~ major political parties for the
29 general election shall be made in this manner, except as otherwise provided in R.S.

1 18:410.6(B).

2 B. In the event that no candidate receives the majority of votes in the first
3 party primary, the two candidates from each political party who received the greatest
4 number of votes in the first party primary shall be voted on in the second party
5 primary.

6 (1) In the case of a tie vote for first place in the first party primary of a
7 ~~recognized~~ major political party, all of the candidates affiliated with the same
8 political party who received the same highest number of votes qualify for the second
9 party primary.

10 (2) In the case of a tie vote for second place in the first party primary of a
11 ~~recognized~~ major political party, all of the candidates affiliated with the same
12 political party who received the same second highest number of votes and the
13 candidate affiliated with the same political party who received the highest number
14 of votes qualify for the second party primary.

15 * * *

16 C. There shall be no third party primary. In the case of a tie vote in the
17 second party primary of a ~~recognized~~ major political party, none of the candidates
18 qualify as the party nominee for the general election, and the party nominee shall
19 be selected by a public drawing of lots conducted by the State Board of Election
20 Supervisors from among the candidates who received the highest number of votes
21 in the second party primary election. The public drawing of lots shall be conducted
22 at the state capitol on a day and at a time fixed by the board within one week after
23 the results of the election become official. The candidates involved shall be given
24 at least three days' written notice of the time and place of the public drawing of lots.

25 §410.8. Candidates not affiliated with a ~~recognized~~ major political party; qualifying
26 for the general election

27 A. Any person who desires to become a candidate in a general election for
28 a party primary office and who is not registered as being affiliated with a ~~recognized~~
29 major political party shall file his notice of candidacy, which shall be accompanied

1 by a nominating petition as provided in R.S. 18:465, with the appropriate qualifying
2 official during the qualifying period established for the party primary election. The
3 number of signatures required on such a nominating petition shall be as set forth in
4 R.S. 18:465.

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

10 §410.9. Nomination of candidates in a party primary election; general election;
11 unopposed candidate

12 A. If, after the close of the qualifying period for candidates in a party
13 primary election, only one candidate qualified for the ~~recognized~~ major political
14 party or only one candidate for the ~~recognized~~ major political party remains after the
15 withdrawal of one or more candidates, the candidate is declared the nominee of the
16 party, and his name shall not appear on the ballot in a party primary election but shall
17 be on the ballot for the general election. If a party primary election ballot was
18 printed with the name of a candidate who withdrew on it, any votes received by a
19 candidate who withdrew shall be void and shall not be counted for any purpose
20 whatsoever.

21 * * *

22 §435. Watchers; appointment and commission

23 * * *

24 B.(1)(a) A list of watchers shall be filed with the clerk of court by hand
25 delivery, facsimile, mail, or commercial courier before 4:30 p.m. on the tenth
26 business day before the party primary, primary₂ or general election; however, if the
27 tenth business day before the party primary, primary₂ or general election falls on a
28 Saturday, Sunday, or other legal holiday, the list shall be filed on the next day which
29 is not a Saturday, Sunday, or other legal holiday. For purposes of this Paragraph,

1 "commercial courier" shall have the same meaning as provided in R.S. 13:3204(D).

2 If the office that the candidate seeks is voted on in more than one parish, a list of
3 watchers shall be filed with the clerk of court in each parish where the candidate will
4 have watchers.

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

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

16 * * *

17 §501. Procedure for withdrawal

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

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

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

26 * * *

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

1 ballot with an election for a party primary office, the secretary of state may place the
2 presidential nominees above the party primary office candidates of the same party.

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

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

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

15 (f) Political party offices--member of a state central committee, member-at-
16 large of a parish executive committee, and member of a parish executive committee
17 from a political subdivision. If an election for a political party office appears on the
18 same ballot with an election for presidential nominees in a presidential preference
19 primary election, the secretary of state may place the political party office
20 ~~immediately following the office of presidential nominees of the same political party~~
21 after party primary offices or after all other offices.

22 ~~(2)~~ (3) When a special election to fill a newly created office or a vacancy in
23 an existing office is held at the same time as a regularly scheduled election, the
24 secretary of state may list the titles of the offices to be voted on in the special
25 election at the end of the ballot. However, when the geographic area of an office in
26 the regularly scheduled election and in the special election are the same and when
27 the candidates in the regularly scheduled election and in the special election for such
28 office are the same, the title of the office and the names of the candidates shall
29 appear only once on the ballot as provided in this Section and the ballot shall state

1 that the election is being held to fill both the vacancy and the full term for the office.
 2 Each elector shall cast the same vote for both the regular and the special election for
 3 the office, and the candidates who qualify for the general election shall qualify for
 4 the general election for both the regular and the special election for the office, and
 5 the candidate who is elected shall be elected to fill both the vacancy and the full term
 6 for the office.

7 ~~(3)~~ (4) The titles of offices not specifically provided for in this Section shall
 8 be listed on the ballot in the order determined by the secretary of state.

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

11 (1)

12 * * *

13 (c)(i) The names of the candidates for each office shall be arranged
 14 alphabetically by surname and shall be listed below the title of the office, ~~in smaller~~
 15 ~~capital letters~~. The names of the candidates shall be numbered from first to last.
 16 Once the secretary of state has assigned numbers to the candidates on the primary
 17 election ballot, the numbers shall not be changed.

18 * * *

19 (2) In a general election only the names of the candidates who qualified for
 20 election shall be listed on the ballot, and the names shall be listed in the same form
 21 as they were listed on the ballot for the primary election. The names of candidates
 22 who were elected in the primary election shall not be listed on the ballot. The names
 23 of the candidates for each office shall be arranged alphabetically by surname, and
 24 shall be listed below the title of the office, ~~in smaller capital letters~~. The names of
 25 the candidates shall be given the same number assigned to them on the primary
 26 election ballot.

27 D. Political party designation. (1) The political party designation of a
 28 candidate who is registered as being affiliated with a recognized political party shall
 29 be listed on the primary or general election ballot on the same line and immediately

1 after or below the candidate's name. If a candidate is affiliated with a political party,
2 but such party is not a recognized political party, the word "other" shall be placed
3 after his name. If a candidate is not affiliated with any political party, the words "no
4 party" or an abbreviation thereof shall be placed after his name. The secretary of
5 state shall promulgate and adopt rules as necessary to effectuate the provisions and
6 purposes of this Subsection.

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

10 * * *

11 §1279. Vacancies; representatives in congress

12 When a vacancy occurs in the office of representative in congress, the
13 governor shall determine the dates on which the special elections shall be held and
14 the dates of the qualifying period in accordance with R.S. 18:402 and shall issue a
15 proclamation ordering a special election and specifying the dates on which the first
16 party primary, second primary, if necessary, and general elections will be held and
17 the dates of the qualifying period for the election. Within twenty-four hours after
18 issuing the proclamation, the governor shall send a copy of the proclamation to the
19 secretary of state, who shall within twenty-four hours of receipt of the information
20 notify all election officials having any duty to perform in connection with a special
21 election to fill such vacancy, including the parish boards of election supervisors for
22 the parish or parishes in which the vacancy occurred. Immediately thereafter the
23 secretary of state shall publish the proclamation in the official journal of each parish
24 in which the election is to be held. The election shall be conducted in the same
25 manner and at the same places and the returns shall be certified as in regular
26 congressional elections. If at a primary or general election in a congressional district
27 one representative in congress is to be elected for a full term and another to fill a
28 vacancy, the ballots containing the names of the candidates shall, as a part of the title
29 of the office, designate the term for which the candidates are respectively nominated.

30 * * *

1 §1285. Notice of election

2 * * *

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

18 * * *

19 §1307. Application by mail

20 * * *

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

30 * * *

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

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

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

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

11 "Section 5.(A) Solely for the purposes of qualifying for elections in
12 2026 and for other activities and requirements related to the conduct of
13 elections in 2026, the provisions of this Act shall become effective on ~~August~~
14 ~~1, 2025~~ June 12, 2025.

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

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

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

24 (3) R.S. 18:410.10 as amended and reenacted by Act No. 640 of the 2024 Regular
25 Session of the Legislature shall supersede R.S. 18:410.10 as enacted by Act No. 1 of the
26 2024 First Extraordinary Session of the Legislature.

27 (B) R.S. 18:192(A)(1) and (2), 402(A)(1), (D), and (E)(1), 410.1 through 410.3,
28 410.4(B), 410.5(A), 410.6(B)(1) and (2), 410.7(A), (B)(1) and (2), and (C), 410.8, 410.9(A),
29 and 1285(B)(1)(a) as amended and reenacted by this Act shall supersede those provisions

1 as amended and reenacted in Act No. 1 of the 2024 First Extraordinary Session of the
2 Legislature and Act No. 640 of the 2024 Regular Session of the Legislature.

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

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

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

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

14 (B) The Louisiana State Law Institute is authorized and directed to redesignate the
15 references to R.S. 18:402(B) and (C) that appear in R.S. 18:513(A)(5), R.S. 33:383(A), and
16 R.S. 33:1885 to reference R.S. 18:402.

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

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

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

23 (C) This Section and Sections 3, 4, 5, and 7 of this Act shall become effective upon
24 signature by the governor or, if not signed by the governor, upon expiration of the time for
25 bills to become law without signature by the governor, as provided by Article III, Section
26 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved
27 by the legislature, this Section and Sections 3, 4, 5, and 7 of this Act shall become effective
28 on the day following such approval.

DIGEST

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

HB 592 Engrossed

2025 Regular Session

Beaulieu

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

Duties of the Secretary of State

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

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

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

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

Voter Registration

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

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

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

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

Polling locations

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

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

Commissioners and watchers

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

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

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

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

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

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

Ballots

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

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

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

For the presidential preference primary election, present law (R.S. 18:1280.21) authorizes the state central committee of a recognized political party to allow in its bylaws for electors

who are not affiliated with any political party to cast a vote on the ballot of such recognized political party. Proposed law repeals present law.

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

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

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

Election dates

Present law (R.S. 18:402, 434, 1285, 1300 and 1300.7) provides for the calculation of dates related to the administration of elections. Proposed law provides that if a deadline falls on a Saturday, Sunday, or legal holiday, then the deadline shall be the following day which is not a Saturday, Sunday, or legal holiday.

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

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

Campaign finance

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

Closed party primaries

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

Proposed law (R.S. 18:402) designates dates to be used for the first and second party primary

election for a special election called to fill a vacancy in a party primary office.

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

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

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

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

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

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

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

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

Miscellaneous

Present law (R.S. 18:25) requires the State Board of Election Supervisors (state board) to annually report to the House and Governmental Affairs Committee and the Senate and Governmental Affairs Committee its findings, observations, and recommendations

concerning all aspects of elections no later than Jan. 31 of each year. Proposed law instead requires the report be submitted no later than 45 days prior to the start of each regular session of the legislature.

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

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

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

Proposed law retains present law.

Present law (R.S. 18:1405(C)) provides that the action contesting an election on a proposed constitutional amendment shall be instituted not later than 4:30 p.m. of the 10th day after the official promulgation of the results of the election. Proposed law retains present law and further provides that the action shall be instituted no earlier than the day after the election.

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

Proposed law (R.S. 18:2(20)) defines "affidavit" as an oath or affirmation signed by the affiant before a notary public, or before a commissioner-in-charge, commissioner, registrar of voters, deputy registrar of voters, early voting commissioner, or secretary of state election staff, as specifically required in present law. Proposed law further changes references to "affidavit" as they appear in present law, when they do not meet the proposed law definition of "affidavit", to instead be referred to as an "attestation".

Effectiveness

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

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

(Amends R.S. 18:2(4), 18(D), 25(B), 104(C)(1)(intro. para.), 108(A) and (C), 111, 154(C)(2)(e), 192(A)(1) and (2), 401.2(A) and (B)(1), (2), and (3), 402(A)(1), (D), (E)(1)(intro. para.), and (G)(1), 410.1-410.3, 410.4(B), 410.5(A), 410.6(B)(1) and (2), 410.7(A), (B)(1) and (2), and (C), 410.8, 410.9(A), 425.1, 426(A) and (B), 434(A)(1), 435(A)(4)(b) and (c) and (B)(1), 501(A)(1), (B)(1), and (C), 531(B), 533(A)(2) and (B)(1), 534(A) and (B)(1) and (2)(a), 551(B), (C)(1)(c)(i) and (2), and (D), 553(E)(2), 571(A)(8), 573(E)(1) and (4), 1259(B)(6) and (C), 1279, 1280.21(B), 1285(B)(1)(a), 1286.1, 1299.1, 1300(C)(1), 1300.7(A), 1300.11, 1306(E)(1)(f), 1307(E), 1309(D)(1)(c) and (d) and (2), (E)(1), and (N)(2), (5), and (7), 1309.1(A), 1313(F), (H)(3), and (K)(1), 1313.1(F), (I)(2), and (L)(1), 1315(D)(1), 1333(D)(2) and (E), 1363(A)(3) and (4), 1405(C), and

1501.3(C)(intro. para.); Adds R.S. 18:2(20), 401.1(H), 1280.31, 1286(C), 1307(L), 1310(E) and (F), 1333(D)(3), and 1409(K); Repeals R.S. 18:1280.21(C) and (D), 1280.21.1, 1371(A)(2)(c), and §2 of Act No. 640 of the 2024 R.S.)

Summary of Amendments Adopted by House

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

1. Provide specifically that state and federal governmental agencies and private vendors that provide voter registration and address data are the entities the secretary of state may enter into written agreements with for purposes of voter list maintenance.
2. Assign responsibility to governing authorities to ensure that the ballot language for propositions submitted to the voters is simple, unbiased, concise, and easily understood.
3. Require that actions contesting an election on a proposed constitutional amendment be instituted no earlier than the day after the election.
4. Provide for effectiveness.
5. Make technical changes.