

2018 Regular Session

HOUSE BILL NO. 211

BY REPRESENTATIVE JACKSON

ELECTIONS: Provides relative to certain records of the registrar of voters

1 AN ACT

2 To amend and reenact R.S. 18:154(B) and 1311(B), (C), and (E) and to enact R.S.
3 18:1311(A), relative to records of the registrar of voters; to repeal a requirement that
4 the registrar post certain lists at a certain place; to require the registrar to make the
5 lists available for public inspection at certain times; to require the lists to be posted
6 on the website of the secretary of state; to repeal the requirement that a certain
7 number of voters make a written request in order to be allowed to copy the lists; and
8 to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 18:154(B) and 1311(B), (C), and (E) are hereby amended and
11 reenacted and R.S. 18:1311(A) is hereby enacted to read as follows:

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

13 * * *

14 B.(1)(a) ~~When~~ If twenty-five or more qualified voters of a parish make a
15 request in writing, ~~that~~ the registrar shall permit the copying of any part of his
16 records, except the early voting confirmation sheets;

17 (b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,
18 the registrar shall permit the copying of a list prepared pursuant to R.S. 18:1311(A)
19 upon the request of a single person of the age of majority.

1 (2) ~~he~~ The registrar shall allow this to be done by hand or otherwise, if so
2 requested, unless such reproduction seriously interferes with the registration of
3 voters or otherwise seriously interferes with the performance of the duties imposed
4 on his office by law. In such instances, the registrar shall cause his employees to
5 make copies of the requested records or print the information electronically, if the
6 electronic copy contains the same information, and deliver them ~~to the voters~~ or
7 request the secretary of state to reproduce such records which may then be forwarded
8 to the registrar for delivery ~~to the voters~~. Copying by the registrar or his employees
9 or the secretary of state or printing an electronic copy shall be done in the presence
10 of the requesting person or a representative of the requesting voters, if ~~they~~ the
11 person or voters so request.

* * *

13 §1311. List of absentee by mail and early voters; posting; delivery of alphabetized
14 list to precincts; supplements; absentee by mail voter report

15 ~~B.~~ A.(1) The registrar shall keep a list containing the names of all persons
16 who vote by early voting ballot during early voting and of those whose absentee
17 ballots by mail he has received. He shall ~~post this list in a conspicuous place~~
18 ~~accessible to the public at the entrance to his office~~ ensure that the list is available
19 for inspection by members of the public at the principal office of the registrar when
20 the office is open. After the last day for early voting, the registrar shall prepare a list,
21 arranged alphabetically by precinct, of the names of all persons who have voted
22 during early voting or from whom absentee ballots by mail were received on or
23 before the last day for early voting. The registrar shall ensure that the list is available
24 for inspection by members of the public at the principal office of the registrar when
25 the office is open and retain a copy of the list for use by the parish board of election
26 supervisors on election night ~~and shall post a copy of the list in a conspicuous place~~
27 ~~accessible to the public at the entrance to his office~~.

28 ~~C.(1)~~(2) The registrar shall prepare a supplemental list, arranged
29 alphabetically by precinct, of the names of all persons from whom absentee ballots

1 by mail have been received after the last day for early voting and before election day.
 2 The registrar shall deliver the supplemental list for each precinct to the parish
 3 custodian. The parish custodian shall then deliver the supplemental list for each
 4 precinct to the deputy parish custodian appointed for that precinct when the key
 5 envelopes are delivered as provided in R.S. 18:553(A). The registrar shall ensure
 6 that the list is available for inspection by members of the public at the principal
 7 office of the registrar when the office is open and retain a copy of the supplemental
 8 list for use by the parish board of election supervisors on election night ~~and shall post~~
 9 ~~a copy of the supplemental list in a conspicuous place accessible to the public at the~~
 10 ~~entrance to his office.~~

11 (3) The lists produced pursuant to Paragraphs (1) and (2) of this Subsection
 12 shall be posted on the website of the secretary of state at least until the election
 13 returns have been promulgated.

14 ~~(2)~~ B. The registrar shall include the first absentee ballot received from a
 15 person voting by mail, if timely received, with those to be counted by the board.
 16 Any second or subsequent ballot received from such person shall be considered not
 17 timely received.

18 ~~(3)~~ C. The registrar shall print an absentee by mail voter report from the state
 19 voter registration computer system listing all voters from whom he has received
 20 absentee by mail ballots before election day; he shall certify to the correctness of the
 21 report and deliver the report to the parish board of election supervisors on election
 22 day for use in the tabulation and counting of absentee by mail ballots.

23 * * *

24 E. The commissioners at the polling place shall use the supplemental list
 25 provided for in ~~Subsection C Paragraph (A)(2)~~ Paragraph (A)(2) of this Section to ~~insure~~ ensure that
 26 persons who have voted absentee by mail do not vote in person at the polls on
 27 election day.

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 211 Engrossed

2018 Regular Session

Jackson

Abstract: Requires the registrar of voters to make lists of early and absentee by mail voters available for public inspection instead of requiring the registrar to post the lists at the entrance to his office; requires the lists to be posted on the website of the secretary of state; and repeals the requirement that a certain number of voters make a written request in order to copy the lists.

Present law (R.S. 18:1311) requires the registrar of voters to keep a list containing the names of all persons who vote by early voting ballot during early voting and those whose absentee ballots by mail he has received. Requires the registrar, after the last day for early voting, to prepare a list, arranged alphabetically by precinct, of the names of all persons who have voted during early voting or from whom absentee ballots by mail were received on or before the last day for early voting. Requires the registrar to retain a copy of the list for use by the parish board of election supervisors on election night.

Present law requires the registrar to prepare a supplemental list, arranged alphabetically by precinct, of the names of all persons from whom absentee ballots by mail have been received after the last day for early voting and before election day. Requires the registrar to deliver the supplemental list for each precinct to the parish custodian who then delivers the supplemental list for each precinct to the deputy parish custodian appointed for that precinct. Requires the registrar to retain a copy of the supplemental list for use by the parish board of election supervisors on election night.

Proposed law retains present law.

Present law requires the registrar to post a copy of each list in a conspicuous place accessible to the public at the entrance to his office.

Proposed law repeals present law. Provides instead that the registrar ensure that each list is available for inspection by members of the public at the principal office of the registrar when the office is open. Additionally requires the lists to be posted on the website of the secretary of state at least until the election returns have been promulgated.

Present law (R.S. 18:154) provides that the records of each registrar are public records and at all times during office hours shall be open to inspection, except the early voting confirmation sheets of voters.

Proposed law retains present law.

Present law requires the registrar to allow his records to be copied only when 25 or more qualified voters make a request in writing. Provides that if such copying would seriously interfere with the registration of voters or the performance of his duties, the registrar shall cause his employees to make copies of the requested records or print the information electronically, if the electronic copy contains the same information, and deliver them to the voters or request the secretary of state to reproduce such records which may then be forwarded to the registrar for delivery to the voters. Provides that copying by the registrar or his employees or the secretary of state or printing an electronic copy shall be done in the presence of a representative of the requesting voters, if they so request.

Proposed law requires the registrar to permit the copying of lists of early and absentee by mail voters prepared pursuant to present law (R.S. 18:1311) upon the request of a single person of the age of majority instead of 25 or more qualified voters. Otherwise retains present law.

(Amends R.S. 18:154(B) and 1311(B), (C), and (E); Adds R.S. 18:1311(A))