

**HOUSE SUMMARY OF SENATE AMENDMENTS****HB 325****2019 Regular Session****Bishop**

ELECTIONS: Prohibits election officials from disclosing certain information and provides relative to local option elections concerning the sale of alcoholic beverages

**Synopsis of Senate Amendments**

1. Adds provisions relative to the verification of petitions for local option elections concerning the sale of alcoholic beverages.
2. Adds provisions prohibiting the registrar from certifying a signature on a petition upon receipt of an affidavit from a person who alleges that the person's signature is not genuine.
3. Adds provisions authorizing a person who signed a petition or witnessed a signature to file an affidavit with the registrar to attest to the genuineness of the signature, cure any defect, or provide any absent information.
4. Adds provisions requiring the registrar to verify and include a voter's signature for purposes of certification upon receipt of an affidavit and requires the registrar to send an amended verification to the governing authority verifying and adding any signature that is the subject of an affidavit to the total number of genuine signatures for purposes of certification.
5. Adds provisions authorizing the filing of affidavits for petitions filed after July 1, 2018, in parishes with certain populations.

**Digest of Bill as Finally Passed by Senate**

Present law (R.S. 18:154) provides that the records of each registrar of voters are public records. Provides for exceptions. Present law (R.S. 18:154(G)) prohibits the registrar, clerk of court, and the Dept. of State from disclosing certain information, including the following:

- (1) Information of a type exempted from disclosure pursuant to present law received from another state pursuant to a cooperative agreement authorized by present law (R.S. 18:18(D)).
- (2) Geographical coding of addresses of registered voters.
- (3) An application to vote absentee by mail, or information contained therein, until the applicant has returned his voted ballot to the registrar.
- (4) Computer system or program information, including software, related menus, flow charts, network diagrams, passwords, source materials, prompts, dialogues, operating manuals, programming materials or instructions, and any other computer operating or support materials concerning the state voter registration computer system and election management system or voting equipment.
- (5) Information contained within the state voter registration computer system and election management system which if disclosed may impair the security of the statewide voter registration system and election management system or the integrity of the information maintained on the systems or voting equipment.

Proposed law retains present law. Additionally prohibits the registrar, clerk of court, and the Dept. of State from disclosing user names, nonpublic uniform resource locators, database

object names, computer names, device identifiers and serial numbers, screen printouts and captures, internet protocol address numbers, and instructional manuals.

Present law (R.S. 26:581 et seq.) provides procedures and requirements for elections held to determine whether the sale of alcoholic beverages will be conducted and licensed in an area. Provides that upon petition of not less than 25% of the qualified electors residing in any ward, election district, or any incorporated municipality, the governing authority shall order a referendum election to be held to determine whether or not the business of selling alcoholic beverages shall be conducted and licensed therein. Provides for the form of the petition. Requires the registrar of voters to check each signature on the petition for its genuineness by comparing the signature on the petition with the signature of the same person on the registration rolls. Requires the registrar to file a verification of the petition with the governing authority responsible for calling the election.

Present law (R.S. 26:586) authorizes any person whose signature appears on a local option petition and who alleges that such signature is not genuine to execute and file with the registrar of voters, a sworn affidavit, attesting that the affiant did not sign the petition. Provides that such affidavits are subject to the perjury provisions of present law (Title 14 of the La. Revised Statutes).

Proposed law retains present law.

Present law provides that when checking the signatures for genuineness, the registrar must take into consideration such an affidavit. Provides, however that the registrar cannot certify the signature not to be genuine unless the comparison of the signatures indicates that the signature is indeed not genuine.

Proposed law removes present law. Instead prohibits the registrar from certifying a signature to be genuine if the registrar receives such an affidavit.

Proposed law authorizes any person whose signature appears on a petition but is not verified or included for the purpose of certifying the petition due to a defect or absence of one of the requirements of present law, to file an affidavit with the registrar of voters, within 30 days after the filing of the verification, attesting to the genuineness of the signature, curing the information that precluded inclusion, or providing the absent information. Requires the registrar of voters to verify and include the signature for the purpose of certifying the petition upon the timely filing of such an affidavit.

Proposed law authorizes any witness whose name appears on a petition to file an affidavit with the registrar of voters, within 30 days after the filing of the verification, attesting to the genuineness of a voter's signature that the person witnessed or curing the information that precluded inclusion of the voter's signature that the person witnessed. Requires the registrar of voters to verify and include a voter's signature for the purpose of certifying a petition upon the timely filing of such an affidavit.

Proposed law provides that any person whose signature appears on a local option petition filed after July 1, 2018, with the registrar of voters for a parish whose population exceeds 11,000 persons but does not exceed 50,000 persons may file an affidavit as provided in proposed law. Proposed law is repealed eff. Sept. 30, 2019.

Proposed law provides that any witness whose name appears on a local option petition filed after July 1, 2018, with the registrar of voters for a parish with a population that exceeds 11,000 persons may file an affidavit as provided for in proposed law. Proposed law is repealed eff. Sept. 30, 2019.

Proposed law requires the registrar within ten days after the period allowed for the filing of an affidavit authorized in proposed law to file an amended verification with the governing authority verifying and adding any signature that is the subject of an affidavit to the total number of genuine signatures of qualified electors for the purpose of certification.

Present law (R.S. 18:587) requires the governing authority to attach to the verification a sworn statement showing the date, month, and year the verification was filed with the governing authority. Proposed law retains present law and applies the requirements of present law to the filing of an amended verification.

Present law provides that if the petition conforms to all the provisions of present law (R.S. 26:581 et seq.), the governing authority shall order the election. Provides that the ordinance or resolution of the governing authority ordering the election shall be adopted at the next meeting held after the verification was filed with the governing authority by the registrar of voters.

Proposed law retains present law. Additionally requires the ordinance or resolution of the governing authority ordering the election to be adopted at the next meeting held after the amended verification was filed with the governing authority by the registrar of voters.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 18:154(G)(4) and 26:586(C) and 587(A) and (B); Adds R.S. 18:58(D) and 154(G)(6) and 26:586(D) and 586.1; Repeals R.S. 26:586.1)