

SENATE BILL NO. 183

BY SENATOR HARRIS

1 AN ACT

2 To amend and reenact R.S. 18:428(A) and (F), and to enact R.S. 18:428(G) and 1309(A)(5);
3 relative to law enforcement assistance at polling places under certain circumstances;
4 to provide for law enforcement officers to assist in preserving order; to provide for
5 the protection of election officials; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:428(A) and (F) are hereby amended and reenacted and
8 R.S. 18:428(G) and 1309(A)(5) are hereby enacted to read as follows:

9 §428. Law enforcement assistance to commissioners

10 A. Presence at polling places on election day. Law enforcement officers shall
11 not be stationed at polling places on election day, but the commissioners or the clerk
12 of court may summon law enforcement officers to assist them in preserving order,
13 enforcing the election laws, or protecting election officials from interference with the
14 performance of their duties. Law enforcement officers shall not be eligible to serve
15 as commissioners-in-charge, commissioners, alternate commissioners, or watchers.

16 * * *

17 F. Notwithstanding any provision of this Section to the contrary, law
18 enforcement officers may enter the polling place when there is a reasonable
19 belief there is an emergency and the commissioners are unable to summon the
20 law enforcement officers.

21 G. Law enforcement officers. For purposes of this Code, the term "law
22 enforcement officer" shall mean any employee of the state, a municipality, a sheriff,
23 or other public agency, whose permanent duties actually include the making of
24 arrests, the performing of searches and seizures, or the execution of criminal
25 warrants, and who is responsible for the prevention or detection of crime or for the
26 enforcement of the penal, traffic, or highway laws of this state.

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§1309. Early voting; verification

A. * * *

(5) Notwithstanding any provision of this Section to the contrary, law enforcement officers may enter the early voting location when there is a reasonable belief there is an emergency and the registrar is unable to summon the law enforcement officers.

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Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____