

2021 Regular Session

HOUSE BILL NO. 20

BY REPRESENTATIVES MIGUEZ AND HODGES

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

ELECTIONS: Prohibits the use of private funds to pay election-related expenses

1 AN ACT

2 To enact R.S. 18:1400.10, relative to the funding of elections and related expenses; to
3 prohibit public officials and agencies from using private donations to pay costs
4 related to conducting elections; to provide for an effective date; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:1400.10 is hereby enacted to read as follows:

8 §1400.10. Prohibition on use of private funds for election-related expenses

9 A. No state or local official, including but not limited to a registrar of voters
10 or a clerk of court, or agency responsible for conducting elections shall solicit,
11 accept, use, or dispose of any donation in the form of money, grants, property, or
12 personal services from individuals or profit or nonprofit corporations, for the purpose
13 of paying costs related to conducting elections.

14 B. The provisions of Subsection A of this Section do not apply to the
15 solicitation, acceptance, use, or disposal of campaign contributions or in-kind
16 contributions by any candidate for public office for the purpose of meeting expenses
17 related to seeking that office.

18 C. The provisions of Subsection A of this Section do not apply to the
19 donation of private property for use as a polling place or to the donation or use of
20 equipment for the restoration and maintenance of utilities to a precinct or polling
21 place in the event of an outage.

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective 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 20 Engrossed

2021 Regular Session

Miguez

Abstract: Prohibits use of private funds for election-related expenses by a public official or agency.

Present law provides relative to payment of costs related to conducting elections, including payment of costs of ballots and election materials, publication of the location of polling places, of renting polling places, of drayage, of setting up voting machines, of compensating commissioners and deputy parish custodians, of transmitting election returns, of other election-related costs incurred by registrars of voters, clerks of court, the secretary of state, and the parish board of election supervisors. Present law further specifies that election expenses will be shared on a prorated basis by the state and local governments from funds appropriated to the secretary of state for that purpose.

Proposed law provides that no state or local official or agency responsible for conducting elections shall solicit, accept, use, or dispose of any donation in the form of money, grants, property, or personal services from individuals or profit or nonprofit corporations, for the purpose of paying costs related to conducting elections. Proposed law provides that the prohibition does not apply to the solicitation, acceptance, use, or disposal of campaign contributions or in-kind contributions by a candidate for public office for the purpose of meeting expenses related to seeking that office. Proposed law provides that the prohibition does not apply to donation of private property for use as a polling place, or to the donation or use of equipment for the restoration and maintenance of utilities to a precinct or polling place in the event of an outage.

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

(Adds R.S. 18:1400.10)

Summary of Amendments Adopted by House

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

1. Add provision that proposed law does not apply to donations for use as a polling place or utilities at a precinct or polling place.