
DIGEST

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HB 720 Original

2022 Regular Session

Gaines

Abstract: Provides for election procedures and emergency election plans during a declared state of emergency.

Present law provides that if a registrar of voters is unable to open at least one office in the parish on the day on which the registration records are to be closed due to a declared state of emergency, the registrar shall not close the registration records on that day. In such case, the registrar shall close the registration records on the first business day thereafter that the registrar opens an office in the parish.

Proposed law changes the day that the registrar shall close the registration records to 15 days prior to an election.

Present law provides that when a polling place is relocated, the clerk of court in conjunction with the secretary of state shall give adequate notice of the change of the location to each voter registered to vote at that polling place and to each candidate to be voted on at that polling place.

Proposed law provides that the secretary of state shall also post a list of all changed polling locations on the secretary of state's website.

Present law provides that the clerk of court may take any other reasonable steps to inform the voters and the candidates of the change in location, including but not limited to posting notices on utility poles and advertisements in the electronic media.

Proposed law adds contacting voters via telephone or electronic mail as a means to provide notice of a change in polling place location.

Present law provides that after the issuance of an executive order by the governor declaring a state of emergency and if the secretary of state determines that such emergency impairs an election due to certain circumstances, the secretary of state shall certify such facts and the reasons therefor to the governor, the Senate Committee on Senate and Governmental Affairs, and the House Committee on House and Governmental Affairs. If the governor and a majority of the members of each committee concur that such an emergency plan is necessary, the secretary of state shall develop a written emergency plan that proposes a resolution to the problems impairing the holding of the election.

Proposed law limits the applicability of present law to emergencies declared within 45 days prior to an election. If an emergency is declared within that period, proposed law requires the secretary of state to take necessary actions to ensure successful execution of the election.

Present law provides that the secretary of state shall take all actions reasonably necessary to allow registered voters who are unable to vote during early voting or at the polling place on election day due to out-of-state work responsibilities relating to a declared emergency.

Proposed law retains present law and adds that the secretary of state shall also allow registered voters to vote if they are unable to vote during early voting or on election day due to out-of-parish work or personal responsibilities as a result of a declared emergency.

Present law provides that all ballots received by the registrar by 4:30 p.m. on the day before election day shall be counted.

Proposed law provides that all ballots received within 3 days following election day shall be counted if a state of emergency is declared within 15 days prior to an election.

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

(Amends R.S. 18:135(A)(2)(a), 401.2(C), 401.3(B)(1), and 1308(A)(2)(j)(ii) and (C); Adds R.S. 18:401.2(B)(5) and 401.3(E))