

2023 Regular Session

HOUSE BILL NO. 135

BY REPRESENTATIVE MIKE JOHNSON

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

ELECTIONS/COMMISSIONERS: Prohibits a registered sex offender or child predator from serving as a commissioner or watcher

1 AN ACT

2 To amend and reenact R.S. 18:427(A) and to enact R.S. 18:424(B)(6), 425(B)(3)(d), and
3 426(A)(2)(c), relative to election officials; to provide for commissioners-in-charge,
4 commissioners, alternate commissioners, and watchers; to provide for qualifications;
5 to prohibit registered sex offenders and child predators from serving in certain
6 positions; to provide an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:427(A) is hereby amended and reenacted and R.S. 18:424(B)(6),
9 425(B)(3)(d), and 426(A)(2)(c) are hereby enacted to read as follows:

10 §424. Commissioners-in-charge

11 * * *

12 B. Qualifications. A commissioner-in-charge shall possess the following
13 qualifications:

14 * * *

15 (6) No person who is required to register as a sex offender or child predator
16 pursuant to R.S. 15:542 may serve as a commissioner-in-charge.

17 * * *

18 §425. Commissioners

19 * * *

1 B. Qualifications and classifications.

2 * * *

3 (3)

4 * * *

5 (d) No person who is required to register as a sex offender or child predator
6 pursuant to R.S. 15:542 may serve as a commissioner.

7 * * *

8 §426. Alternate commissioners; qualifications, powers, and duties; oath and
9 compensation

10 A. Qualifications.

11 * * *

12 (2)

13 * * *

14 (c) No person who is required to register as a sex offender or child predator
15 pursuant to R.S. 15:542 may be selected as an alternate commissioner.

16 * * *

17 §427. Watchers

18 A. Qualifications. (1) A qualified voter of the state of Louisiana who is not
19 a candidate in the election may serve as a watcher; however, a watcher who is not
20 a resident of the parish where he serves may not serve as a commissioner.

21 (2) No person who is required to register as a sex offender or child predator
22 pursuant to R.S. 15:542 may serve as a watcher.

23 * * *

24 Section 2. This Act shall become effective upon signature by the governor or, if not
25 signed by the governor, upon expiration of the time for bills to become law without signature
26 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
27 vetoed by the governor and subsequently approved by the legislature, this Act shall become
28 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 135 Original

2023 Regular Session

Mike Johnson

Abstract: Prohibits registered sex offenders and child predators from serving as election commissioners-in-charge, commissioners, alternate commissioners, and watchers.

Present law provides qualifications for election commissioners-in-charge, commissioners, alternate commissioners, and watchers.

Present law provides as follows with respect to the duties of these election officials:

- (1) The commissioner-in-charge administers the oath to the commissioners, presides over the election, prints results from the voting machines, closes the polling place, and delivers specified information to the clerk of court.
- (2) Commissioners and alternate commissioners conduct primary and general elections at each polling place, enforce the election laws, and maintain order at the polling place during the election and the printing of results.
- (3) Watchers are admitted within all parts of the polling place during the election day and the printing of results and call any infraction of law to the attention of the commissioners.

Present law provides that a person who commits certain sex offenses and criminal offenses against a minor shall be required to register as a sex offender or child predator.

Proposed law retains present law and prohibits persons who are required to register as sex offenders or child predators from serving as election commissioners-in-charge, commissioners, alternate commissioners, and watchers.

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

(Amends R.S. 18:427(A); Adds R.S. 18:424(B)(6), 425(B)(3)(d), and 426(A)(2)(c))