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## DIGEST

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HB 396 Original

2023 Regular Session

Jenkins

**Abstract:** Requires the registrar to reinstate the voter registration of a person whose registration was suspended following an order of imprisonment if the person is no longer identified as subject to suspension on certain lists submitted to the registrar or if the registrar receives certain documentation showing the person is no longer subject to suspension.

Present constitution (La. Const. Art. I, §10) provides that the right to vote may be suspended for a person who is under an order of imprisonment for conviction of a felony.

Proposed law retains present constitution.

Present law (R.S. 18:102) provides that no person shall be permitted to register or vote who is either:

- 1) Under an order of imprisonment for conviction of a felony and has been incarcerated pursuant to the order within the last five years.
- 2) Convicted of a felony offense of election fraud or any other election offense and is under an order of imprisonment.

Proposed law retains present law.

Present law (R.S. 18:176) requires the registrar of voters to suspend the registration of a person who meets the above requirements.

Proposed law retains present law.

To facilitate the suspension process, present law (R.S. 18:171) requires the Dept. of Public Safety and Corrections to submit lists to the Dept. of State identifying individuals who meet the requirements for suspension. The Dept. of State is thereafter required to report the information received from the Dept. of Public Safety and Corrections to the registrar of voters of each parish on no less than a quarterly basis.

Proposed law retains present law.

Present law (R.S. 18:171) requires the clerk of court to give written notice of the vacation of a judgment of conviction to the appropriate registrar of voters.

Proposed law retains present law.

Present law (R.S. 18:171.1) requires each U.S. attorney to give written notice to the secretary of state of any felony conviction of a person for which there is an order of imprisonment and for which the person is incarcerated pursuant to the order and notice of the vacation of a judgment of conviction. The secretary of state is thereafter required to send to the registrar of voters of each parish such information regarding persons with a definitive felony conviction and the vacation of a judgment of conviction.

Proposed law retains present law.

Present law (R.S. 18:177) requires a person's registration to be reinstated only when the person appears in the office of the registrar and provides documentation from the appropriate correction official showing that he is no longer subject to suspension. Present law further provides that the required documentation may be provided by mail, facsimile, commercial carrier, or hand delivery only if the person is eligible to participate in the Special Program for Handicapped Voters or the person has submitted current proof of disability to the registrar and otherwise meets certain qualifications related to his disability.

Proposed law repeals present law and instead provides that a person's registration shall be reinstated by the registrar upon any of the following:

- 1) The person is no longer identified on a report provided to the registrar in accordance with present law.
- 2) The registrar receives notice that a judgment of conviction was overturned or vacated in accordance with present law.
- 3) The registrar receives documentation from the appropriate correction official showing that the person is no longer subject to suspension. Further provides that such documentation may be delivered by mail, electronic mail, facsimile, commercial carrier, or hand delivery.

(Amends R.S. 18:177(A))