





1 portions of the petition which he reviews for certification by the registrar. **Upon**  
2 **certification by the registrar, the recall petition shall be a public record.**

3 B.(1) The registrar of voters shall honor the written request of any voter who  
4 either desires to have his handwritten signature stricken from the petition or desires  
5 to have his handwritten signature added to the petition at any time after receipt of the  
6 signed petition as provided in R.S. 18:1300.2(C) but prior to certification of the  
7 petition or within five days after receipt of such signed petition, whichever is earlier.  
8 If the deadline for removing or adding a signature to the petition falls on a Saturday,  
9 Sunday, or legal holiday, then the next day which is not a Saturday, Sunday, or legal  
10 holiday shall be deemed to be the deadline for removing or adding a signature to the  
11 petition. The written request of the voter shall include the name and address of the  
12 voter, the signature of the voter, the date of birth of the voter, and the date.

13 ~~(2) Upon the signature of the voter, the written request of the voter to have~~  
14 ~~his signature stricken or added to the recall petition shall be a public record. Any~~  
15 ~~person in possession of such a written request shall be the custodian thereof. The~~  
16 ~~voter or any other person who is the custodian of the written request~~ **designated by**  
17 **the voter** shall transmit the written request to the registrar of voters for each parish  
18 within the voting area by mail or directly by hand, immediately upon signature of the  
19 voter or upon receipt of the signed, written request.

20 **(3) The written request of a voter to have his signature added to the**  
21 **recall petition shall be a public record at the time the recall petition becomes**  
22 **public record.**

23 \* \* \*

24 §1300.5. Chairman and vice chairman designated in petition; ~~petition designated as~~  
25 ~~a public record~~

26 ~~A.~~ The recall petition shall designate a chairman to act for the signers of the  
27 petition in all matters, and a vice chairman to act on order of the chairman or in case  
28 of the death, disability, absence, or resignation of the chairman. The petition shall  
29 include the full name, signature, and residence address of the chairman and the vice

1 chairman. The chairman and vice chairman each shall be a qualified voter in the  
2 voting area from which the public official whose recall is being sought is elected.

3 ~~B. Upon the signature of the first elector, the recall petition, including the~~  
4 ~~name, address, and signature of each elector who has signed thereon, shall be a~~  
5 ~~public record. The chairman, or the vice chairman when acting as the chairman, shall~~  
6 ~~be the custodian thereof. The petition and the custodian shall be subject to all of the~~  
7 ~~provisions of R.S. 44:31 et seq.~~

8 ~~C. Upon the filing of the petition pursuant to R.S. 18:1300.2(C)(2), the~~  
9 ~~chairman, or the vice chairman when acting as chairman, shall no longer be the~~  
10 ~~custodian thereof.~~

---

The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Matt DeVille.

---

## DIGEST

SB 123 Original

2023 Regular Session

Henry

Present law provides for recall elections. Provides for the filing of recall petitions with the secretary of state. Requires the secretary of state to notify the registrar of voters in each parish in the voting area where the recall election would be held. Provides for submission of the signed and dated recall petition to the registrar of voters and notification of the public officer who is the subject of the recall petition. Requires the registrar to certify the signed petition.

Proposed law retains present law.

Present law provides that a recall petition, including the name, address, and signature of each elector who has signed the petition, becomes a public record upon the signature of the first elector.

Proposed law provides that the recall petition and the name, address, and signature of each elector who has signed the petition becomes a public record upon certification by the registrar of voters. Provides that the unsigned petition becomes a public record when it is filed with the secretary of state.

Present law allows any voter to make a written request to have his signature stricken from or added to a recall petition at any time after the registrar of voters receives the signed petition, but prior to certification of the petition or within five days after receipt of the signed petition, whichever is earlier. Provides that a written request to strike or add a name is a public record.

Proposed law retains present law allowing a voter to request to strike or add his name but makes only a request to add a name to public record.

Effective August 1, 2023.

(Amends R.S. 18:1300.2(C)(1), 1300.3(A) and (B), and 1300.5)