

2023 Regular Session

HOUSE BILL NO. 494

BY REPRESENTATIVE MOORE

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

ELECTIONS/POLLING PLACES: Authorizes persons and organizations engaging in lawful nonpartisan activities to remain within six hundred feet of the entrance of a polling location

1 AN ACT

2 To amend and reenact R.S. 18:1462(A)(2) and (C), relative to prohibited acts during early
3 voting or on election day; to provide exceptions; to authorize certain persons to
4 remain within the six hundred foot campaign-free zone around polling places; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:1462(A)(2) and (C) are hereby amended and reenacted to read as
8 follows:

9 §1462. Acts prohibited during early voting or on election day; electioneering;
10 intimidation; exceptions; enforcement; penalties

11 A. The Legislature of Louisiana recognizes that the right to vote is a right
12 that is essential to the effective operation of a democratic government. In order to
13 preserve the integrity of its election process, and to protect the right of citizens to
14 vote freely for the candidates of their choice, the state has a compelling interest in
15 establishing a zone securing polling locations against certain conduct and activities,
16 including voter intimidation, election fraud, confusion, and general disorder, that
17 would interfere with the exercise of the right to vote. The legislature, therefore,
18 enacts this Subsection to provide for a six hundred foot campaign-free zone around
19 polling places to provide to each voter such an environment in which to exercise his

activities, including voter intimidation, election, fraud, confusion, and general disorder, that would interfere with the exercise of the right to vote. Further specifically prohibits certain acts between the hours of 6:00 a.m. and 9:00 p.m. within any polling place being used in an election on election day or during early voting, or within a radius of 600 feet of the entrance to any polling place being used in an election on election day or during early voting including remaining within any such polling place or within a radius of 600 feet of the entrance of any such polling place, except when exercising the right to vote, after having been directed by an election commissioner, law enforcement officer, registrar, or deputy registrar to leave the premises or area of a polling place.

Proposed law provides an additional exception for engaging in other lawful activities.

Present law provides that the provisions of present law shall not be construed as prohibiting an election commissioner or official watcher from remaining in and about the polling place in which he was selected serve.

Proposed law further provides that the provisions of present law shall not be construed as prohibiting any person or organization from engaging in nonpartisan activities that do not otherwise violate present law, any other state law, or federal law within a radius of 600 feet of the entrance to any polling place being used in an election on election day or during early voting.

(Amends R.S. 18:1462(A)(2) and (C))