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HOUSE FLOOR AMENDMENTS

2023 Regular Session

Amendments proposed by Representative Ivey to Engrossed House Bill No. 212 by Representative Hollis

1 AMENDMENT NO. 1

2 On page 1, delete line 1 in its entirety and insert: "To amend and reenact R.S. 18:3(A)(1),
3 (6), and (7) and (D), 1300.1, 1300.2(B), (C)(1), and (D), 1300.3(A) and (B)(1), 1300.4,
4 1300.5(B), 1300.7(A), and"

5 AMENDMENT NO. 2

6 On page 1, line 3, after "1300.8(B)," insert "and to enact R.S. 18:1300.2.1,"

7 AMENDMENT NO. 3

8 On page 1, at the end of line 4, insert "to provide for the use of electronic signatures;"

9 AMENDMENT NO. 4

10 On page 1, delete lines 9 and 10 in their entirety and insert the following:

11 "Section 1. R.S. 18:3(A)(1), (6), and (7) and (D), 1300.1, 1300.2(B), (C)(1), and (D),
12 1300.3(A) and (B)(1), 1300.4, 1300.5(B), 1300.7(A), and 1300.8(B) are hereby
13 amended and reenacted and R.S. 18:1300.2.1 is hereby enacted to read as follows:

14 §3. Petitions submitted to registrars of voters

15 A. Notwithstanding any other provision of law to the contrary, every petition
16 submitted to a registrar of voters for certification shall contain the following
17 information:

18 (1)(a) The handwritten signature of the voter who is signing the petition;
19 however, if a person is unable to write, the incapacitated person shall affix his mark
20 to the petition and the person circulating the petition shall affix the name of the
21 incapacitated person provided he does so in the presence of two witnesses who shall
22 also sign their names as witnesses to the mark.

23 (b) For a petition to recall a public officer, the voter may sign the petition
24 electronically as provided in R.S. 18:1300.2.1.

25 * * *

26 (6) Name of the person who witnessed and who obtained ~~the~~ a handwritten
27 signature.

28 (7) Date on which the person witnessed and obtained ~~the~~ a handwritten
29 signature.

30 * * *

31 D. In determining the number of persons signing the petition who are
32 electors in the voting area for the purpose of certifying the petition, the registrar shall
33 not include any person who has not affixed to the petition his signature and the
34 address at which he is registered to vote, any person whose signature has not been
35 verified by the registrar, or any person whose name does not appear on the registrar's
36 roll of electors. To verify a handwritten signature on a petition, the registrar shall
37 compare the handwritten signature on the petition with the signature on the original
38 application card or any subsequent signature in the records of the registrar, including

1 but not limited to precinct registers and affidavits filed pursuant to the provisions of
 2 R.S. 18:111(C), or any microfilm, microfiche, or scanned or electronically captured
 3 computerized images of such documents. If the signatures are sufficiently alike to
 4 identify the person who signed the petition as the person who is the registered voter,
 5 the signature shall be verified. The signature of an elector shall include the surname
 6 under which the elector is registered to vote. The signature may include the elector's
 7 surname, first, and middle name, the initials of his surname, first, and middle name,
 8 or any combination thereof as the form in which his name appears on the petition,
 9 but shall not designate a title, designation, or deceptive name, nor shall it designate
 10 an occupational or professional description or abbreviation. However, the signature
 11 of a married woman may include her husband's surname, first, and middle name, the
 12 initials of his surname, first, and middle name, or any combination thereof, preceded
 13 by the title "Mrs." as the form in which her name appears on the petition, but only
 14 if she has registered under her husband's name preceded by the title "Mrs."
 15 * * *

16 AMENDMENT NO. 5

17 On page 2, delete line 5 in its entirety and insert the following:

18 "B.(1) All signatures on recall petitions shall be handwritten or submitted
 19 electronically as provided in R.S. 18:1300.2.1."
 20

21 AMENDMENT NO. 6

22 On page 3, between lines 21 and 22, insert the following:

23 "D.(1) Each elector who signs the petition by hand, at the time of signing the
 24 petition, shall enter his address and the date on which he signed beside or underneath
 25 his signature; however, if a person is unable to write, as provided in R.S. 18:1300.4,
 26 the two witnesses shall date their signatures.

27 (2) Each electronic signature shall include the elector's registered address
 28 and date the petition was signed.

29 (3) Each ~~In addition,~~ each petition shall be in compliance with the provisions
 30 of R.S. 18:3. In determining the number of qualified electors who signed the petition
 31 in any parish, the registrar of voters shall not count any signature which is undated
 32 or bears a date prior to the date on which the copy of the petition initially was filed
 33 with the secretary of state or after the date of the submission of the petition to the
 34 registrar except as otherwise provided in R.S. 18:1300.3(B). The registrar shall not
 35 receive or certify a petition submitted to him for certification unless it is submitted
 36 to him timely.

37 * * *

38 §1300.2.1. Electronic signatures

39 A. A person who has a valid Louisiana driver's license or Louisiana special
 40 identification card issued pursuant to R.S. 40:1321 may electronically sign a recall
 41 petition through the secretary of state's website.

42 B. The secretary of state shall implement a system to allow for the
 43 submission and collection of electronic signatures on recall petitions as provided in
 44 this Section.

45 C.(1) The electronic signature form shall include spaces for the information
 46 required pursuant to R.S. 18:3 and 1300.2.

47 (2) The voter shall assent to the use of his Louisiana driver's license or
 48 Louisiana special identification card signature for purposes of signing the recall
 49 petition.

50 (3) The applicant shall not be allowed to submit his signature unless the
 51 required form is complete.

52 (4)(a) Immediately upon submission of the signature, the information
 53 submitted by the voter shall be checked to ensure that the Louisiana driver's license
 54 number or Louisiana special identification card number submitted by the applicant

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 matches the information maintained by the Department of Public Safety and
2 Corrections.

3 (b) If a match is made, the secretary of state shall use the information
4 provided by the voter to determine the eligibility of the voter to sign the petition in
5 accordance with this Chapter. An electronic signature shall be deemed to have been
6 submitted as of the date the match is made.

7 (c) If a match cannot be made, the voter shall be immediately informed that
8 his electronic signature cannot be processed.

9 D. The secretary of state may employ additional security measures to ensure
10 the accuracy and integrity of the use of electronic signatures."

11 AMENDMENT NO. 7

12 On page 4, between lines 15 and 16, insert the following:

13 "B.(1) The registrar of voters shall honor the written request of any voter
14 who either desires to have his ~~handwritten~~ signature stricken from the petition or
15 desires to have his ~~handwritten~~ signature added to the petition at any time after
16 receipt of the signed petition as provided in R.S. 18:1300.2(C) but prior to
17 certification of the petition or within five days after receipt of such signed petition,
18 whichever is earlier. If the deadline for removing or adding a signature to the
19 petition falls on a Saturday, Sunday, or legal holiday, then the next day which is not
20 a Saturday, Sunday, or legal holiday shall be deemed to be the deadline for removing
21 or adding a signature to the petition. The written request of the voter shall include
22 the name and address of the voter, the signature of the voter, the date of birth of the
23 voter, and the date.

24 * * *

25 §1300.4. Signature to recall petition

26 No person may sign any name to a recall petition other than his own, except
27 in a case where a person wishes to sign the petition by hand and is unable to write,
28 in which case the incapacitated person shall affix his mark to the petition and the
29 person circulating the petition shall affix the name and address of the incapacitated
30 person, as well as the date on which the incapacitated person affixed his mark to the
31 petition, provided he does so in the presence of two witnesses who shall also sign
32 their names as witnesses to the mark.

34 §1300.5. Chairman and vice chairman designated in petition; petition designated as
35 a public record

36 * * *

37 B. Upon the signature of the first elector, the recall petition, including the
38 name, address, and signature of each elector who has signed thereon, shall be a
39 public record. The chairman, or the vice chairman when acting as the chairman,
40 shall be the custodian ~~thereof~~ of all handwritten signatures. The secretary of state
41 shall be the custodian of all signatures submitted electronically pursuant to R.S
42 18:1300.2.1. The petition and the custodian shall be subject to all of the provisions
43 of R.S. 44:31 et seq.

44 * * *"

45 AMENDMENT NO. 8

46 On page 5, at the end of line 10, delete "handwritten"

47 AMENDMENT NO. 9

48 On page 5, at the end of line 11, delete "handwritten"