

2024 Regular Session

HOUSE BILL NO. 581

BY REPRESENTATIVE THOMAS

ELECTIONS: Provides requirements and restrictions on the ability to witness election documents

1 AN ACT

2 To amend and reenact R.S. 18:4 and to enact R.S. 18:4 and 1461.7(A)(7), relative to
3 witnessing election documents; to place age requirements on witnesses; to require
4 witnesses to provide certain information; to provide for the crime of violating
5 restrictions on witnessing absentee ballot certificates; to provide for effectiveness;
6 and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:4 and 1461.7(A)(7) are hereby enacted to read as follows:

9 §4. Witness requirements

10 Whenever a document required by or provided for in the Louisiana Election
11 Code is required to be witnessed, the witness shall be at least eighteen years of age.

12 * * *

13 §1461.7. Miscellaneous election offenses; penalties

14 A. No person shall knowingly, willfully, or intentionally:

15 * * *

16 (7) Witness more than one certificate of a voter who is not an immediate
17 family member in violation of R.S. 18:1306.

18 * * *

1 Section 3. R.S. 18:4 is hereby amended and reenacted to read as follows:

2 §4. Witness requirements

3 A. Whenever a document required by or provided for in the Louisiana
4 Election Code is required to be witnessed, the witness shall be at least eighteen years
5 of age.

6 B. Each witness who signs an absentee by mail ballot certificate as required
7 by the Louisiana Election Code shall provide his mailing address in the appropriate
8 space on the certificate.

9 Section 3. The provisions of Section 2 of this Act shall become effective on July 1,
10 2025.

11 Section 4. This Section and Sections 1 and 3 of this Act shall become effective upon
12 signature by the governor or, if not signed by the governor, upon expiration of the time for
13 bills to become law without signature by the governor, as provided by Article III, Section
14 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved
15 by the legislature, this Section and Sections 1 and 3 this Act shall become effective on the
16 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 581 Original

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Thomas

Abstract: Requires any person witnessing an election document required by or provided for the La. Election Code to be at least 18 years of age and, if witnessing an absentee by mail ballot, to also provide a mailing address. Further provides for a specific election offense for witnessing more than one certificate of a voter who is not an immediate family member.

Proposed law requires that whenever an a document required by or provided for in the La. Election Code is required to be witnessed, the witness shall be at least 18 years old. As of July 1, 2025, proposed law requires a witness signing an absentee by mail certificate, to provide a mailing address in the appropriate space on the certificate.

Present law (R.S. 18:1306) prohibits a person, except the immediate family of the voter, from witnessing more than one certificate of a voter. Present law (R.S. 18:2) defines immediate family as the individual's children, the spouses of his children, his brothers and their spouses, his sisters and their spouses, his parents, his spouse, and the parents of his spouse.

Proposed law provides for the specific election offense of knowingly, willfully, or intentionally witnessing more than one certificate of a voter who is not an immediate family member in violation of present law.

Present law provides that a person who violates present law shall be fined not more than \$1000 or be imprisoned for not more than one year, or both. On a second offense, or any subsequent offense, the penalty shall be a fine of not more than \$2500 or imprisonment for not more than five years, or both. Violations of proposed law are subject to the present law penalties.

Effective upon signature of governor or lapse of time for gubernatorial action, except the requirement for a witness on an absentee by mail certificate to provide a mailing address is effective July 1, 2025.

(Amends R.S. 18:4; Adds R.S. 18:4 and 1461.7(A)(7))