

2024 Regular Session

SENATE BILL NO. 384

BY SENATOR FIELDS

VOTERS/VOTING. Provides relative to voter identification requirements. (gov sig)

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AN ACT

To amend and reenact R.S. 18:104(B), 562(A)(2)(b), 1306(E)(1), 1307(A), and 1309(D)(1)(b), relative to voter identification; to provide for application for voter registration form requirements; to provide for voter identification affidavit requirements; to provide for absentee by mail ballot envelope information requirements; to provide for early voting verification information; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:104(B), 562(A)(2)(b), 1306(E)(1), 1307(A), and 1309(D)(1)(b) are hereby amended and reenacted to read as follows:

§104. Application for registration; form

\* \* \*

B. The form shall also contain spaces for the following additional information to be provided by the applicant with the initial application or in response to a request for additional information by the registrar of voters for clear and sufficient identification of the applicant as the person he claims to be and subsequently for his identification at the polls:

- 1 (1) Sex.
- 2 (2) Race or ethnic origin, which shall at least include Hispanic, American
- 3 Indian, Asian, and other as choices.
- 4 (3) A single political party affiliation or, if none, an entry to that effect.
- 5 (4) Place of birth.
- 6 ~~(5) Mother's maiden name.~~
- 7 ~~(6)~~(5) Electronic mail address.
- 8 ~~(7)~~(6) Telephone number.
- 9 ~~(8)~~(7) Whether the applicant requires assistance when he votes, and if so, the
- 10 reason therefor. If the person is unable to read or write English, the form shall show
- 11 in which language he is entitled to printed materials and ballots and assistance if his
- 12 language is one of a minority language group as determined pursuant to the federal
- 13 Voting Rights Act.
- 14 ~~(9)~~(8) Last residence address.
- 15 ~~(10)~~(9) Place of last registration.
- 16 ~~(11)~~(10) Former registered name, if applicable.

\* \* \*

§562. Prerequisites to voting

A. Identification of voters.

\* \* \*

(2)(a)

\* \* \*

(b) If the applicant does not have one of the forms of identification provided in Subparagraph (a) of this Paragraph, the applicant shall complete and sign an affidavit, which is supplied by the secretary of state, to that effect before the commissioners, which affidavit shall include the applicant's ~~date of birth and mother's maiden name~~ **full name, address where he is registered to vote, and date of birth**. If the applicant is unable to read or write or is otherwise unable to complete the affidavit due to disability, the applicant may receive assistance in completing the

1 affidavit and the commissioner shall make a notation on the affidavit. The applicant  
 2 may receive the assistance of any person of his choice, including a commissioner,  
 3 except a candidate, commissioner-in-charge, the applicant's employer or employer's  
 4 agent, or the applicant's union agent. The commissioners shall place the affidavit in  
 5 the envelope marked "Registrar of Voters" and attach the envelope to the precinct  
 6 register. However, an applicant who is allowed to vote without the picture  
 7 identification required by Subparagraph (a) of this Paragraph is subject to challenge  
 8 as provided in R.S. 18:565.

\* \* \*

10 §1306. Preparation and distribution of absentee by mail and early voting ballots

11 \* \* \*

12 E.(1) The secretary of state shall prepare an absentee by mail certificate, the  
 13 content of which is subject to approval of the attorney general. The certificate shall  
 14 include but not necessarily be limited to:

15 (a) The full name and place of residence of the voter in Louisiana, including  
 16 state, parish, ward, precinct, city, and street.

17 (b) The statement of the voter certifying that he applied for the ballot, marked  
 18 the enclosed ballot(s) himself or that they were marked for him according to his  
 19 instructions and in his presence.

20 (c) The statement of the voter that he is entitled to vote at the precinct he  
 21 names.

22 (d) Authorization to the parish board of election supervisors to open the ballot  
 23 envelope and count his ballot.

24 ~~(e) His mother's maiden name.~~

25 ~~(f)~~(e) An affidavit followed by a line for the handwritten signature or mark  
 26 of the voter, certifying that the statements made by him are true and correct and that  
 27 the voter is aware of the penalties for knowingly making a false statement therein,  
 28 which penalties shall be stated on the certificate.

29 \* \* \*

1 §1307. Application by mail

2 A. A person qualified to vote absentee by mail under this Chapter may make  
3 application therefor to the registrar by letter; over his signature or mark if the voter  
4 is unable to sign his name, signed by two witnesses who witnessed the applicant's  
5 mark; setting forth:

6 (1) The election or elections for which he requests an absentee ballot.

7 (2) The reason for his request to vote absentee by mail and attaching any  
8 documents in support thereof that are required by law. Any person who is or expects  
9 to be temporarily outside the territorial limits of the state or absent from the parish  
10 in which he is qualified to vote during the early voting period and on election day  
11 and who requests an absentee ballot be mailed to an address within the parish shall  
12 indicate in his application the dates he will be outside the territorial limits of the state  
13 or absent from the parish.

14 (3) The address to which the absentee ballot or ballots shall be sent. If the  
15 address is within the parish or an adjacent parish, such address shall only be the  
16 address at which the applicant is registered to vote, his mailing address on file with  
17 the registrar of voters, or an address at which he regularly receives mail.

18 (4) Notwithstanding Paragraph (3) of this Subsection, the absentee by mail  
19 ballots shall not be sent to the following addresses:

20 (a) The address of a political party.

21 (b) The residential, business, or campaign address of a candidate, unless the  
22 address is for the candidate's ballot or a ballot of an immediate family member of the  
23 candidate.

24 (c) A business address, unless the business address is the mailing address on  
25 file with the registrar of voters or an address at which the person regularly receives  
26 mail.

27 (d) The address of a political organization as defined in 26 U.S.C. 527.

28 (e) The address of an organization which has tax-exempt status under Section  
29 501(c)(3) or (4) of the Internal Revenue Code, unless the organization address is the

1 mailing address on file with the registrar of voters or an address at which the person  
2 regularly receives mail.

3 (5) The ward and precinct in which the person is qualified to vote, if known.

4 (6) The date of birth of the voter.

5 (7) ~~The maiden name of the voter's mother or other identifying~~ **Identifying**  
6 information provided in the voter's application for registration pursuant to R.S.  
7 18:104.

8 (8) The street address in the parish where the voter resides. A post office box  
9 is insufficient.

10 (9) If the person requests that a ballot for a general election be sent in  
11 addition to a ballot for the primary, he shall declare in writing to the registrar that he  
12 will be eligible to vote absentee by mail in the general election.

13 \* \* \*

14 §1309. Early voting; verification

15 \* \* \*

16 D.(1)(a)

17 \* \* \*

18 (b) If the voter does not have one of the forms of identification provided in  
19 Subparagraph (a) of this Paragraph, the voter shall complete and sign, in the presence  
20 of the registrar or his deputy, a voter identification affidavit to that effect provided  
21 by the secretary of state, which affidavit shall include the voter's ~~date of birth and~~  
22 ~~mother's maiden name~~ **full name, address where he is registered to vote, and date**  
23 **of birth**. If the voter is unable to read or write or is otherwise unable to complete the  
24 affidavit due to disability, the voter may receive assistance in completing the  
25 affidavit, and the registrar or his deputy shall make a notation on the affidavit. The  
26 voter may receive the assistance of any person of his choice, including the registrar  
27 or his deputy, except a candidate, the voter's employer or employer's agent, or the  
28 voter's union agent. The registrar or his deputy shall retain the affidavit in the office  
29 of the registrar of voters.

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Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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

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## DIGEST

SB 384 Original

2024 Regular Session

Fields

Present law provides that voter registration application forms must include space for the applicant to include the following required information: date of application, applicant's name, applicant's date of birth, applicant's place of residence, and the applicant's Louisiana driver's license or special identification number, if issued.

Present law further provides that the voter registration application form must contain space for additional information to be supplied by applicant either with the initially submitted application or in response to a request for additional information by the registrar of voters for identification purposes. The additional information section includes the voter's sex, race or ethnic origin, single political party affiliation or entry to that effect, place of birth, mother's maiden name, e-mail address, telephone number, whether the applicant requires assistance when voting, last residence address, place of registration, and former registered name, if applicable.

Proposed law retains present law as to required additional information with the exception of the applicant's mother's maiden name.

Present law provides that before any voter is allowed to vote in a primary of general election the registrar or his deputy must establish the voter's identity by requiring him to submit either a Louisiana driver's license, special identification card, generally recognized picture information card that contains the name and signature of the voter, or a United States military identification card that contains the voter's name and picture.

Present law further provides that if the voter does not have one of the forms of identification otherwise required by present law to verify his identity that the voter must sign and complete an affidavit that includes his date of birth and mother's maiden name.

Proposed law retains present law as to required voter information with the exception of the applicant's mother's maiden name and additionally requires the affidavit to include the voter's full name and address where he is registered to vote.

Present law requires the secretary of state to prepare an absentee by mail certificate that must include certain information, including the full name and place of resident of the voter in Louisiana, a statement of the voter certifying that he applied for the ballot and either marked it himself or that it was marked according to his instructions and in his presence, a statement of the voter certifying that he is entitled to vote at the precinct he names, authorization from the parish board of election supervisors to open the ballot and count it, the voter's mother's maiden name, and affidavit followed by a line for the handwritten signature or mark of the voter certifying the statements made by him are true and correct and an acknowledgment of

the penalties for knowingly making a false statement.

Proposed law retains present law as to the required information with the exception of the applicant's mother's maiden name.

Present law requires an applicant for an absentee by mail ballot to provide certain information, including the election or election for which he requests an absentee ballot, the reason for his request to vote absentee by mail, the address to which the ballots are to be sent, the ward and precinct in which the person is qualified to vote, if known, the maiden name of the voter's mother or other identifying information provided in the voter's application for registration, the street address in the parish where the voter resides, and, if the applicant requests that a ballot for a general election be sent in addition to a ballot for the primary, an attestation to the registrar of voters that he will be eligible to vote absentee by mail in the general election.

Proposed law retains present law as to required additional information with the exception of the applicant's mother's maiden name.

Present law provides that before any voter is allowed to vote during early voting the registrar or his deputy must establish the voter's identity by requiring him to submit either a Louisiana driver's license, special identification card, generally recognized picture information card that contains the name and signature of the voter, or a United States military identification card that contains the voter's name and picture.

Present law further provides that if the voter does not have one of the forms of identification otherwise required by present law to verify his identity that the voter must sign and complete an affidavit that includes his date of birth and mother's maiden name.

Proposed law retains present law as to the required voter information with the exception of the applicant's mother's maiden name and additionally requires the affidavit to include the voter's full name and address where he is registered to vote.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 18:104(B), 562(A)(2)(b), 1306(E)(1), 1307(A), and 1309(D)(1)(b))