

2024 Regular Session

HOUSE BILL NO. 285

BY REPRESENTATIVE WRIGHT

STATE DEPARTMENT: Provides for the division of election integrity within the Department of State

1 AN ACT

2 To amend and reenact Part V of Chapter 2 of Title 18 of the Louisiana Revised Statutes of
3 1950, comprised of R.S. 18:49.1, relative to the Department of State; to provide
4 relative to investigations of election irregularities; to change the name of the
5 elections compliance unit to the division of election integrity; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part V of Chapter 2 of Title 18 of the Louisiana Revised Statutes of 1950,
9 comprised of R.S. 18:49.1, is hereby amended and reenacted to read as follows:

10 PART V. ~~ELECTIONS COMPLIANCE UNIT~~

11 DIVISION OF ELECTION INTEGRITY

12 §49.1. ~~Elections compliance unit~~ Division of election integrity; powers and duties

13 A. ~~An elections compliance unit~~ The division of election integrity is created
14 in the Department of State. The purposes of the ~~unit~~ division shall be to:

15 (1) Initiate independent inquiries and conduct independent investigations
16 into allegations of election irregularities in any municipality or parish of the state.

17 (2) Respond to notifications or complaints alleging election irregularities
18 generated by election officials or any other person.

19 (3) Review notices and reports of election irregularities and conduct
20 investigations of any incidents that it determines require further investigation.

1 B. For purposes of investigation, the ~~elections compliance unit~~ division shall
2 have the authority to:

3 (1) Issue subpoenas to compel the production of records and other
4 documents from any registrar of voters.

5 (2) Receive sworn statements.

6 C. Notwithstanding any other provision of law to the contrary, ~~a member of~~
7 ~~the Elections Compliance Unit~~ an employee of the division, upon the receipt of a
8 complaint of any election irregularity, may enter a polling place during early voting
9 or on election day for the purposes of checking the overall operations of the polling
10 place or investigating any potential violation of the Louisiana Election Code.

11 D. If during the course of investigation, the ~~elections compliance unit~~
12 division determines that there may be a violation of any criminal law or provision
13 of the Louisiana Election Code, the findings of the investigation shall be turned over
14 to the appropriate prosecutorial agency for further investigation or prosecution.

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 285 Engrossed

2024 Regular Session

Wright

Abstract: Changes the name of the elections compliance unit to the division of election integrity.

Present law provides for an elections compliance unit in the Dept. of State to initiate independent inquiries and conduct independent investigations into allegations of election irregularities in any municipality or parish; respond to complaints or notifications alleging election irregularities; and review notices and reports of election irregularities and conduct investigations of any incidents that it determines require further investigation. Provides that the unit has the authority to issue subpoenas to compel the production of records and other documents from the registrar of voters and receive sworn statements. Authorizes a member of the elections compliance unit upon receipt of a complaint of any election irregularity to enter a polling place during early voting or on election day for the purposes of checking the overall operations of the polling place or investigating any potential violation of the election code. Requires the elections compliance unit to turn over its findings to the appropriate prosecutorial agency if it determines that there may be a violation of any criminal law or provision of the election code.

Proposed law changes the name of the elections compliance unit to the division of election integrity, makes technical changes, and otherwise retains present law.

(Amends R.S. 18:49.1)