

2024 Regular Session

HOUSE BILL NO. 962 (Substitute for House Bill No. 499 by Representative Billings)

BY REPRESENTATIVE BILLINGS

ELECTIONS/ABSENTEE VOTE: Provides relative to the preparation, verification, tabulation, and counting of absentee by mail and early voting ballots

1 AN ACT

2 To amend and reenact R.S. 18:423(I), 1302(2), 1313(B), and 1313.1(B), relative to the
3 meetings of the parish board of election supervisors; to provide for notice of
4 meetings; to provide for the preparation, verification, tabulation, and counting of
5 absentee by mail and early voting ballots; to provide for the preparation, verification,
6 tabulation, and counting process without a majority of parish board of election
7 supervisors present; to provide for the selection of parish board commissioners to
8 provide assistance; to provide for the authorization of the commissioner of elections;
9 and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 18:423(I), 1302(2), 1313(B), and 1313.1(B) are hereby amended and
12 reenacted to read as follows:

13 §423. Parish boards of election supervisors

14 * * *

15 I. Meetings. Each parish board of election supervisors shall conduct its
16 business in the presence of a quorum. All members of the board must be given
17 actual notice of all board meetings no later than twenty-four hours, exclusive of
18 Saturdays, Sundays, and legal holidays, before each meeting.

19 * * *

1 §1302. Definitions

2 As used in this Chapter, unless the context clearly indicates otherwise, the
3 following terms shall have the meanings hereafter ascribed to each:

4 * * *

5 (2) "Board" means the parish board of election supervisors of each parish.
6 If parish board commissioners are utilized by the parish board of election supervisors
7 to count and tabulate absentee by mail and early voting ballots, the term "board" for
8 the purposes of R.S. 18:1306, 1311, 1312, 1313, 1313.1, 1315, and 1316 shall also
9 mean the parish board commissioners providing assistance.

10 * * *

11 §1313. Tabulation and counting of absentee by mail and early voting ballots

12 * * *

13 B.(1) The parish board of election supervisors shall be responsible for the
14 preparation, verification, counting, and tabulation of all absentee by mail and early
15 voting ballots in the parish. The board may utilize parish board commissioners to
16 count the absentee by mail and early voting ballots in the parish. If the board
17 determines that parish board commissioners are necessary to prepare, verify, count
18 and tabulate the absentee by mail and early voting ballots, it shall select parish board
19 commissioners in accordance with the provisions of R.S. 18:1314. ~~If a majority of~~
20 ~~the members of the board are not present to count the absentee by mail and early~~
21 ~~voting ballots and no parish board commissioners were previously selected, the~~
22 ~~members present may select a sufficient number of parish board commissioners on~~
23 ~~election day to assist in the counting of absentee by mail and early voting ballots.~~

24 (2) If an insufficient number of parish board commissioners was selected
25 pursuant to R.S. 18:1314 to count the absentee by mail and early voting ballots, the
26 board, through the registrar of voters, shall request approval from the commissioner
27 of elections to select a sufficient number of parish board commissioners on election
28 day to assist in the counting of the ballots.

29 * * *

1 §1313.1. Preparation, verification, tabulation, and counting of absentee by mail and
2 early voting ballots

3 * * *

4 B.(1) The parish board of election supervisors shall be responsible for the
5 preparation, verification, counting, and tabulation of all absentee by mail and early
6 voting ballots in the parish. The board may utilize parish board commissioners to
7 count the absentee by mail and early voting ballots in the parish. If the board
8 determines that parish board commissioners are necessary for the preparation and
9 verification process to count and tabulate the absentee by mail and early voting
10 ballots before the election and to count and tabulate the absentee by mail and early
11 voting ballots on election day, it shall select parish board commissioners in
12 accordance with the provisions of R.S. 18:1314.

13 (2) If less than a majority but at least two of the members of the board are
14 ~~not present for the preparation and verification process to count the absentee by mail~~
15 ~~and early voting ballots or to count the absentee by mail and early voting ballots and~~
16 ~~no parish board commissioners were previously selected, the members present may~~
17 ~~and the board cannot locate an alternate designee or appointee, the board shall,~~
18 ~~through the registrar of voters, so inform the commissioner of elections and request~~
19 ~~approval from the commissioner of elections for the appointment of a parish board~~
20 ~~commissioner to serve as a board member. The board shall receive approval of the~~
21 ~~commissioner of elections before proceeding with the preparation and verification~~
22 ~~process without a majority present.~~

23 (3) If an insufficient number of parish board commissioners was previously
24 selected for the preparation and verification process or to count the absentee by mail
25 and early voting ballots, the board, through the registrar of voters, may request
26 approval from the commissioner of election to select a sufficient number of parish
27 board commissioners three days before the election or on election day, as applicable,
28 to assist in the preparation and verification process for the tabulation and counting

1 of absentee by mail and early voting ballots and the tabulation and counting of the
2 ballots.

3 * * *

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 962 Original

2024 Regular Session

Billings

Abstract: Provides for the procedure for selecting parish board commissioners to assist the parish board of election supervisors with the preparation, verification, tabulation, and counting of absentee by mail and early voting ballots and for notice of meetings of the board of election supervisors.

Present law requires each parish board of election supervisors to conduct its business in the presence of a quorum, subject to the Open Meetings Law (R.S. 42:11, et seq.), which requires written public notice of any regular, special, or rescheduled meeting not later than 24 hours, exclusive of Saturdays, Sundays, and legal holidays, before the meeting.

Proposed law requires that all members of the board must be given actual notice of all board meetings not later than 24 hours before each meeting.

Present law requires the parish board of election supervisors to conduct the preparation verification, tabulation, and counting of absentee by mail and early voting ballots in the parish. Authorizes the board to utilize and select parish board commissioners to count the ballots. Proposed law retains present law.

Present law requires a majority of the parish board of election supervisors to be present to determine whether an absentee by mail or early voting ballot is invalid and requires the inspection by a candidate of certificates removed from valid absentee by mail and early voting ballots be done in the presence of a majority of the parish board of election supervisors. Proposed law retains present law.

When the preparation verification, tabulation, and counting is conducted on election day and a majority of the members of the board are not present and no parish board commissioners were previously selected, present law (R.S. 18:1313) authorizes the members present to select a sufficient number of parish board commissioners on election day to assist.

Proposed law instead requires the board, through the registrar of voters, to receive approval from the commissioner of elections to select a sufficient number of commissioners to assist.

Present law (R.S. 18:1313.1) authorizes parishes to conduct preparation and verification the day prior to the election and conduct tabulation and counting on election day. In such circumstances, if less than a majority of the parish board members are present, present law authorizes the members present to select a sufficient number of parish board commissioners three days before the election or on election day, as applicable, to assist in both the preparation and verification process and the tabulation and counting of the ballots.

Proposed law instead provides that if less than a majority but at least two of the members of the board are present for the preparation and verification process and the board cannot locate an alternate designee or appointee, the board shall, through the registrar of voters, so inform the commissioner of elections and request approval from the commissioner of elections for

the appointment of a parish board commissioner to serve as a board member. The board shall receive approval of the commissioner of elections before proceeding with the preparation and verification process without a majority present.

Proposed law also provides that if an insufficient number of parish board commissioners were previously selected for the preparation and verification process or to count the absentee by mail and early voting ballots, the board, through the registrar of voters, may request approval from the commissioner of election to select a sufficient number of parish board commissioners three days before the election or on election day, as applicable, to assist in the preparation and verification process for the tabulation and counting of absentee by mail and early voting ballots and the tabulation and counting of the ballots.

(Amends R.S. 18:423(I), 1302(2), 1313(B), and 1313.1(B))