
DIGEST

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SB 218 Reengrossed

2024 Regular Session

Kleinpeter

Present law requires commissioners at a polling place to write the name of a voter receiving assistance in voting on election day and the name of the person, including a commissioner, assisting the voter behind the tab for Assistance to Voters in the precinct register.

Proposed law retains present law except to provide that disclosures and signatures are provided on a voter assistance form rather than behind a tab for Assistance to Voters and further requires commissioners to record the address and relationship to the voter receiving assistance of the person assisting the voter and if the person providing assistance other than a commissioner was paid to do so.

Present law provides that an application to vote by mail may be delivered to the registrar of voters by any means, including the U.S. Postal Service, commercial delivery service, hand delivery, or facsimile.

Proposed law retains present law and further provides that no person except the immediate family member of the voter shall submit more than one marked ballot application to vote.

Proposed law further provides that except as otherwise authorized by law, no person, organization, or entity shall distribute an application form for an absentee by mail ballot to any person who has not requested the application under the provisions of present law.

Proposed law further provides that if a gubernatorially declared state of disaster or emergency occurs within 45 days of an election, the secretary of state shall determine if the distribution of absentee by mail ballot applications is necessary for voters displaced by the gubernatorially declared state of disaster or emergency.

Proposed law further provides that upon the determination by the secretary of state of the need for the limited distribution of absentee by mail ballot applications as a result of a gubernatorially declared state of disaster or emergency, the secretary shall provide notice to the legislative committees on governmental affairs within 10 days of the distribution.

Present law provides that applications by disabled voters and senior citizens to vote absentee by mail that meet the qualifications of present law remain valid indefinitely.

Proposed law retains present law as it relates to disabled voters participating under the current voters with disability program, but provides that applications by disabled voters participating under the prior disability program and applications by senior citizens are valid until Dec. 31st of the fourth year after the application is received by the registrar. Provides that applications for these voters received before Jan. 1, 2025, expire Dec. 31, 2029.

Present law requires the registrar or deputy registrar to write the name of a voter receiving assistance during early voting in the precinct register or early voting list kept by the registrar and the name of the person assisting the voter behind the tab for Assistance to Voters and for the person assisting the voter, including a registrar or deputy registrar, to sign his name behind the tab for Assistance to Voters.

Proposed law retains present law except to provide that disclosures and signatures are provided on a voter assistance form rather than behind a tab for Assistance to Voters and further requires the registrar or deputy registrar to write the name of the person providing assistance and attest whether the person other than a commissioner providing assistance was paid to do so.

Present law provides that the breach of any mandatory provision of present law relative to the conduct of elections is considered an election offense and is punishable by law.

Proposed law retains present law and further provides that facilitation of the distribution and collection of absentee by mail ballot applications or absentee by mail ballots in violation of the Election Code is also an election offense punishable by law.

Proposed law providing for election offenses effective upon signature of governor or lapse of time for gubernatorial action; remainder of proposed law effective January 1, 2025.

(Amends R.S. 18:564(B)(5)(b), 1307(B)(1)(a)(i) and (G), 1309.3(B)(4)(b), and 1461.7(A)(6); adds R.S. 18:1307(J) and (K) and 1461.7(A)(7))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

1. Provide that a record must be made by the registrar or deputy registrar of voters indicating whether any person other than a commissioner was paid to assist a voter on election day and during early voting.
2. Provide that no person except a family member of the voter shall submit more than one marked ballot application to vote by mail by any means or send it for delivery to the registrar of voters by the U.S. Postal Service or commercial courier per election.

Senate Floor Amendments to engrossed bill

1. Make technical changes.
2. Provide that disabled voters and senior citizens approved to vote absentee by mail must renew their applications to do so annually.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the reengrossed bill:

1. Provide that the disclosures and signatures required when assistance is provided to a voter on election day or during early voting are provided on a voter assistance form rather than behind a tab for Assistance to Voters.
2. Provide that absentee by mail applications by disabled voters participating under the prior disability program and applications by senior citizens are valid until Dec. 31st of the fourth year after the application is received by the registrar. Provide that applications for these voters received before Jan. 1, 2025, shall expire Dec. 31, 2029.
3. Specify that the election offense is for facilitating the distribution or collection of absentee by mail ballot applications and absentee by mail ballots in violation of the Election Code.
4. Provide for effective dates.