

CONFERENCE COMMITTEE REPORT

HB 962

2024 Regular Session

Billings

May 30, 2024

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 962 by Representative Billings, recommend the following concerning the Reengrossed bill:

- 1. That Senate Committee Amendments Nos. 1, 3, 4, 5, and 8 by the Senate Committee on House and Governmental Affairs (#3653) be adopted.
- 2. That Senate Committee Amendments Nos. 2, 6, and 7 by the Senate Committee on House and Governmental Affairs (#3653) be rejected.
- 3. That the following amendments be adopted:

In Senate Committee Amendment No. 3 by the Senate Committee on House and Governmental Affairs (#3653), on page 1, line 7, after "prohibit the" and before "broadcasting" insert "recording or"

In Senate Committee Amendment No. 5 by the Senate Committee on House and Governmental Affairs (#3653), on page 1, line 18, after "not be" and before "broadcast" insert "video, audio, or tape recorded, filmed, or"

In Senate Committee Amendment No. 8 by the Senate Committee on House and Governmental Affairs (#3653), on page 1, line 31, after "not be" and before "broadcast" insert "video, audio, or tape recorded, filmed, or"

Respectfully submitted,

Representative Beth Billings

Senator Cleo Fields

Representative Gerald "Beau" Beaulieu, IV

Senator Mike Reese

Representative Polly Thomas

Senator Kirk Talbot

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)]

CONFERENCE COMMITTEE REPORT DIGEST

HB 962

2024 Regular Session

Billings

Keyword and oneliner of the instrument as it left the House

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

Report adopts Senate amendments to:

1. Prohibit the live broadcast of the preparation, testing, inspecting, sealing, and locking of voting machines.

Report rejects Senate amendments which would have:

1. Removed proposed law prohibiting recording or filming the preparation, verification, counting, and tabulating of absentee by mail and early voting ballots.

Report amends the bill to:

1. Prohibit the recording or filming of the preparation, testing, inspecting, sealing, and locking of voting machines.

Digest of the bill as proposed by the Conference Committee

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.

Present law (R.S. 18:1313(E) and 1313.1(E)) authorizes candidates, their representatives, and qualified electors to be present during the preparation, verification, counting, and tabulation of absentee by mail and early voting ballots. If the counting and tabulation of ballots begin prior to the closing of the polls, the board shall inform any person who wants to be present during the preparation, verification, counting, and tabulation that no person will be allowed to leave or to communicate with any other person outside, until such time as the polls are closed. Further prohibits a person who is present from possessing a cellular telephone or electronic communication device.

Proposed law further prohibits the possession of an electronic recording device during preparation, verification, counting, and tabulation and provides that the process shall not be video, audio, or tape recorded, filmed, or broadcast live.

Present law (R.S. 18:1309.1 and 1373) authorizes candidates, their representatives, and qualified electors to be present to observe the preparation of voting machines by the registrar of voters with the assistance of the secretary of state's technicians and to observe the testing and sealing of the machines by the registrar of voters in the presence of the parish board of election supervisors.

Proposed law retains present law and further prohibits the video, audio, or tape recording, filming, or live broadcast of the preparation, testing, inspecting, sealing, and locking of voting machines.

(Amends R.S. 18:423(I), 1302(2), 1313(B) and (E), and 1313.1(B) and (E); Adds R.S. 18:1309.1(E) and 1373(D))