

## RÉSUMÉ DIGEST

ACT 321 (SB 226)

2024 Regular Session

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Existing law (R.S. 18:1315) provides for the method of voting absentee by mail ballot in primary and general elections, bond elections, tax elections, and special elections.

Existing law allows a qualified voter to vote absentee by mail provided existing law requirements are met.

Existing law establishes a challenge process for an absentee by mail ballot as follows:

- (1) A candidate or his representative, a member of the parish board of election supervisors of a parish (board), or a qualified elector may challenge an absentee ballot on any of the following grounds:
  - (a) The person is not qualified to vote in the election.
  - (b) The person is not qualified to vote in the precinct.
  - (c) The person is not the same person whose name is shown on the precinct register.
- (2) During the preparation and verification process for the counting of absentee ballots on election day, any candidate or his representative, member of the board, or qualified elector may challenge the absentee ballot for cause.

Existing law provides that during the counting of absentee ballots, at least a majority of the members of the board shall hear and determine the validity of any ballot challenged. Provides if the challenge is sustained, the vote shall not be counted, and the voter shall be notified of the challenge and the cause for the rejection.

New law adds that any absentee by mail ballot with an absentee by mail certificate missing required information that was not cured by the voter will be deemed challenged and requires that at least a majority of the board members hear and determine the validity of any ballot challenged. Provides that if the challenge is sustained, the vote shall not be counted, and the voter shall be notified of the challenge and the reason for the rejection. Further provides that an absentee by mail ballot shall not be deemed challenged solely because the voter indicates on the absentee by mail certificate that he does not know his mother's maiden name.

New law requires the secretary of state to provide for the following:

- (1) The preprinting of information on the absentee by mail certificate of an absentee by mail ballot in a form prescribed by the secretary of state, including but not limited to the date of the election and the ward and precinct of the voter.
- (2) A uniform, standard challenge process and procedure with regards to the items missing on the absentee by mail certificate of an absentee by mail ballot and determinations made by the board.

Effective August 1, 2024.

(Amends R.S. 18:1313.1(G)(3) and (H)(2) and 1315(C); adds R.S. 18:1315(D) and (E))