
DIGEST

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Connick

HB No. 296

Abstract: Provides for a recount in proposition elections upon the request of a person who voted in the proposition election when the number of absentee by mail and early voting ballots could make a difference in the outcome of the election, and provides for a refund of costs paid by the requestor in a candidate or proposition election when the recount changes the outcome of the election.

Present law (R.S. 18:1313) provides relative to the tabulation and counting of absentee by mail and early voting ballots. Provides that if the number of absentee by mail and early voting ballots cast for all candidates for an office could make a difference in the outcome of the election for such office, the parish board of election supervisors shall recount the absentee by mail ballots.

Present law requires that a written request by a candidate be filed with the clerk of court for a recount to be conducted. Provides deadlines for making the request. Provides that the candidate requesting the recount shall be responsible for all reasonable costs associated with such recount which shall be payable to the clerk of court. Provides for the method of payment.

Proposed law retains present law. Applies present law to proposition elections in addition to candidate elections; provides that a person who voted in the proposition election may request the recount. Additionally provides that if the recount changes the outcome of an election, the costs paid by the candidate or voter in the proposition election shall be refunded by the clerk of court, and the costs of the recount shall be a reimbursable election expense as provided in present law (Chapter 8-A of Title 18–R.S. 18:1400.1-1400.8).

(Amends R.S. 18:1313(J)(2)(a), (b), and (d))

Summary of Amendments Adopted by House

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

1. Removes provisions of proposed law that would have repealed the requirement that a written request be made by a candidate by a certain deadline for a recount to be conducted in a candidate election.
2. Removes provisions of proposed law that would have repealed the requirement that the candidate pay the costs of the recount.

3. Adds provisions authorizing a person who voted in a proposition election to make a written request according to the same procedures and deadlines as for candidate elections in order for a recount to be conducted in a proposition election and requiring the person to pay the costs of the recount.
4. Adds provisions that require the costs paid by the candidate or person who voted in the proposition election to be refunded if the recount changes the outcome of the election.

House Floor Amendments to the engrossed bill.

1. Provides that if the costs of the recount are refunded, the costs shall be a reimbursable election expense as provided in present law.