

2015 Regular Session

HOUSE BILL NO. 348

BY REPRESENTATIVE HUNTER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

VOTERS/VOTING: Provides relative to early voting

1 AN ACT

2 To amend and reenact R.S. 18:1309(A)(2), (B)(1), (C), and (M) and 1400.8 and to repeal
3 R.S. 18:1309(A)(4), relative to early voting; to expand the time during which the
4 registrar must remain open to allow for early voting during the early voting period;
5 to repeal provisions allowing the registrar to determine the time during which early
6 voting takes place at certain locations; to repeal provisions requiring the registrar to
7 observe certain holidays during the early voting period; to provide relative to
8 expenses incurred by registrars conducting early voting; and to provide for related
9 matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 18:1309(A)(2), (B)(1), (C), and (M) and 1400.8 are hereby amended
12 and reenacted to read as follows:

13 §1309. Early voting; verification

14 A.

15 * * *

16 (2) During each day of the early voting period; the registrar shall maintain
17 regular office hours, remaining open from 8:30 a.m. to 6:00 p.m. ~~Monday through~~
18 ~~Saturday~~. Early voting on each day of the early voting period shall terminate when
19 all persons who were in line to vote at the close of the regular office hours of the
20 registrar's office, as provided in this Paragraph, have been allowed to vote. If the

1 office space of the registrar is insufficient or inconvenient to accommodate early
2 voting, the registrar may provide for an alternate location to conduct early voting,
3 which location shall be in the courthouse or in a public building in the immediate
4 vicinity thereof, and in such case, adequate notice shall be posted at the registrar's
5 office informing the public of the location where early voting is being conducted.

6 * * *

7 B.(1) For the purpose of facilitating early voting, the registrar may designate,
8 in addition to the location for early voting provided in Subsection A of this Section,
9 one branch office wherein early voting may be conducted. Any such branch office
10 shall be located in a public building, and the hours during which early voting may
11 be conducted therein shall be ~~fixed by the registrar~~ as provided in Subsection A of
12 this Section. However, if a branch office of a registrar is destroyed, inaccessible, or
13 unsafe during or following a gubernatorially declared state of emergency, the
14 registrar may utilize a temporary building as a branch office to discharge his duties
15 until an office that meets the requirements of this Section becomes available. Such
16 temporary office shall be located within the parish, or if there is no appropriate
17 location within the parish due to the emergency, then in an immediately adjacent
18 parish, or if there is no appropriate location in any immediately adjacent parish due
19 to the emergency, then in the nearest parish in which there is an appropriate location.

20 * * *

21 C. In parishes which extend in one direction more than fifty miles and which
22 are interspersed with navigable waters, the registrar may designate, in addition to the
23 locations for early voting provided for in Subsections A and B of this Section, one
24 additional branch office wherein early voting may be conducted. Any such branch
25 office shall be located in a public building and the hours during which early voting
26 may be conducted therein shall be ~~fixed by the registrar~~ as provided in Subsection
27 A of this Section.

28 * * *

1 M.~~(1)~~(a) In a parish where early voting is conducted at an additional location
2 pursuant to R.S. 18:1309.2, ~~the registrar may fix~~ the hours and days during which
3 early voting shall be conducted at the additional location during the early voting
4 period ~~if such hours and days of voting are approved by the secretary of state no later~~
5 ~~than twenty-five days prior to the election~~ shall be as provided in Subsection A of
6 this Section.

7 ~~(b) The registrar shall ensure that adequate notice is posted at the office of~~
8 ~~the registrar informing the public of the hours and days during which early voting~~
9 ~~will be conducted at the additional location, and the secretary of state shall post such~~
10 ~~notice on the secretary of state's website.~~

11 ~~(2) The provisions of Paragraph (1) of this Subsection shall not apply to~~
12 ~~early voting for gubernatorial or congressional elections.~~

13 * * *

14 §1400.8. Expenses incurred by registrars of voters conducting early voting; payment
15 by secretary of state

16 Election expenses incurred by a registrar of voters and his permanent
17 employees to perform election duties and responsibilities associated with early
18 voting on any day during the week between 4:30 p.m. and the time that early voting
19 terminates that day, on any day that is a holiday provided by law or proclaimed by
20 the governor for state departments, and on any Saturday or Sunday on which early
21 voting is conducted shall be paid by the state from funds appropriated to the
22 secretary of state for that purpose.

23 Section 2. R.S. 18:1309(A)(4) is hereby repealed in its entirety.

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 348 Original

2015 Regular Session

Hunter

Abstract: Requires the registrar to remain open on Sunday during the early voting period to allow for early voting, repeals provisions allowing the registrar to determine the time during which early voting takes place at certain locations, and repeals

provisions requiring the registrar to observe certain holidays during the early voting period.

Present law (R.S. 18:1309) provides that the early voting period for an election is the period from 14 days to seven days prior to the election. Requires the office of the registrar to be open from 8:30 a.m. to 6:00 p.m. on each day that the registrar is required to be open during the early voting period. Provides that early voting on each day of the early voting period terminates when all persons who were in line to vote at the close of the regular office hours of the registrar's office have been allowed to vote.

Proposed law retains present law.

Present law does not provide for the office of the registrar to be open on Sunday during the early voting period. Proposed law repeals present law and requires the office of the registrar to be open every day during the early voting period.

Present law requires the registrar to observe the holidays provided by present law or proclaimed by the governor for state departments during the early voting period. Proposed law repeals present law.

Present law authorizes the registrar to designate one branch office, in addition to the office of the registrar, in a public building where early voting may also be conducted. Authorizes the registrar to designate an additional branch office for early voting in a parish that extends in one direction more than 50 miles and that is interspersed with navigable waters.

Present law (R.S. 18:1309.2) authorizes the secretary of state to develop and implement a program for the conduct of early voting at additional locations within any parish of the state.

Proposed law retains present law.

Present law authorizes the registrar to fix the hours during which early voting is to be conducted at branch offices and additional locations under certain circumstances. Proposed law repeals present law and provides that the hours and days during which early voting is conducted at branch offices and additional locations is as provided in proposed law.

Present law provides that election expenses incurred by a registrar of voters and his permanent employees to perform election duties and responsibilities associated with early voting on any day during the week between 4:30 p.m. and the time that early voting terminates that day and on any Saturday on which early voting is conducted shall be paid by the state from funds appropriated to the secretary of state for that purpose.

Proposed law retains present law and additionally provides that election expenses incurred by a registrar of voters and his permanent employees to perform election duties and responsibilities associated with early voting on any day that is a holiday provided by present law or proclaimed by the governor for state departments and on any Sunday on which early voting is conducted shall be paid by the state from funds appropriated to the secretary of state for that purpose.

(Amends R.S. 18:1309(A)(2), (B)(1), (C), and (M) and 1400.8; Repeals R.S. 18:1309(A)(4))