

2016 Regular Session

HOUSE BILL NO. 619

BY REPRESENTATIVE ZERINGUE

ELECTIONS/PRECINCTS: Provides relative to precincts with fewer than three hundred registered voters and the payment of election expenses in certain such precincts

1 AN ACT

2 To amend and reenact R.S. 18:532(B)(4) and to repeal R.S. 18:532(B)(5), relative to election
3 precincts; to provide relative to precincts having fewer than three hundred voters; to
4 change or remove certain exceptions relative to such precincts; to provide for the
5 payment of election expenses in such precincts; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:532(B)(4) is hereby amended and reenacted to read as follows:

8 §532. Establishment of precincts

9 * * *

10 B.

11 * * *

12 (4)(a) No precinct shall contain ~~less~~ fewer than three hundred registered
13 voters within its geographical boundaries, except:

14 (i) When necessary to make it more convenient for voters in a geographically
15 isolated and unincorporated area to vote. A voter in a geographically isolated and
16 unincorporated area shall mean a voter whose residence is outside an incorporated
17 place and who would have to travel by roadway more than ~~ten~~ fifteen miles or cross
18 a public ferry to a polling place to vote if the precinct were not established.

1 (ii) When the precinct contains the entire geographical area of an
2 incorporated place.

3 (iii) When the precinct may not be merged with any adjacent precinct due
4 to conflicting voting district boundaries, provided that such a precinct has a
5 consolidated polling place with an adjacent precinct and the number of
6 commissioners for the polling place has been reduced in accordance with R.S.
7 18:425.1 and 1286.1.

8 (b)(i) No parish governing authority shall establish or maintain a precinct
9 shall be established as authorized in this Paragraph with fewer than three hundred
10 registered voters within its geographical boundaries unless it the parish governing
11 authority is in compliance with the provisions of R.S. 18:532.1(C), ~~and unless the~~
12 ~~parish governing authority~~ has submitted documentation to the Department of State
13 that the precinct meets one of the ~~criteria~~ exceptions in this Paragraph, ~~and the parish~~
14 ~~governing authority~~ has received written approval for the establishment of the
15 ~~precinct~~ confirmation from the secretary of state that the precinct meets one of the
16 exceptions in this Paragraph.

17 (ii) ~~However, If a precinct may contain less~~ contains fewer than three
18 hundred registered voters and the parish governing authority has not received written
19 confirmation from the secretary of state that the precinct meets one of the exceptions
20 in this Paragraph, if the parish governing authority is shall be responsible for all
21 election expenses incurred in the precinct as provided in R.S. 18:1400.7.

22 (ii) ~~In addition to the authority in Item (i) of this Subparagraph, the secretary~~
23 ~~of state may permit the establishment of precincts with less than three hundred~~
24 ~~registered voters under extraordinary and unforeseen circumstances.~~

25 (c) Within thirty days after the completion of each canvass, beginning with
26 the 1996 canvass, the registrar of voters of each parish shall notify the parish
27 governing authority of every precinct in the parish which contains fewer than three
28 hundred registered voters within its geographic boundaries. Within sixty days after
29 such notification, the parish governing authority shall merge such precincts with

1 other precincts, unless ~~the approval of the Department of State has been granted as~~
2 the parish governing authority receives written confirmation from the secretary of
3 state that the precinct meets one of the exceptions in this Paragraph in the manner
4 provided in this Paragraph.

5 * * *

6 Section 2. R.S. 18:532(B)(5) is hereby repealed in its entirety.

7 Section 3. This Act shall become effective on January 1, 2017.

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 619 Original

2016 Regular Session

Zeringue

Abstract: Changes and removes specific exceptions allowing precincts having fewer than 300 voters and provides for the payment of election expenses in such precincts.

Present law (R.S. 18:532) provides for the establishment of precincts, definition of territorial limits for which each precinct is established, prescription of boundaries, and designation of precincts by the governing authority of each parish. Prohibits any precinct from having fewer than 300 registered voters within its boundaries except in certain circumstances, including making it more convenient for voters to vote in geographically isolated areas who would otherwise have to travel more than 10 miles or cross a public ferry to vote, when the precinct contains the entire area of an incorporated place (small municipality), when a precinct may not be merged because of voting district boundaries, under extraordinary and unforeseen circumstances as permitted by the secretary of state, and when a parish governing authority is responsible for all election expenses incurred in the precinct.

Proposed law increases the mileage for the exception for geographically isolated areas to from 10 to 15 miles, removes the ability for the secretary of state to permit such precincts under extraordinary and unforeseen circumstances, and explicitly prohibits a parish governing authority from establishing or maintaining a precinct with fewer than 300 registered voters unless it is in compliance with present law (R.S. 18:532.1) regarding appropriate precinct boundaries and approvals of precinct changes, has submitted documentation to the Dept. of State that the precinct meets one of the exceptions, and has received written confirmation from the secretary of state that the precinct meets one of the exceptions.

Present law (R.S. 18:532) provides that a precinct may contain fewer than 300 voters if the parish governing authority is responsible for all of the election expenses incurred in the precinct as provided in present law (R.S. 18:1400.7)

Proposed law provides instead that if a precinct contains fewer than 300 registered voters and the parish governing authority has not received written confirmation from the secretary of state that the precinct meets one of the exceptions, the parish governing authority shall be responsible for all election expenses incurred in the precinct as provided in present law (R.S. 18:1400.7).

Present law suspended ~~present law~~ with regard to precincts with fewer than 300 registered voters from Jan. 1, 2009, through Dec. 31, 2013. Proposed law removes this provision.

Effective January 1, 2017.

(Amends R.S. 18:532(B)(4); Repeals R.S. 18:532(B)(5))