

RÉSUMÉ DIGEST

ACT 508 (HB 614)

2016 Regular Session

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Existing law (R.S. 18:1303) authorizes certain persons to vote absentee by mail, including a person who participated in a former program for persons with physical disabilities and a qualified voter who submits certain required proof of a physical disability. Existing law (R.S. 18:1307) requires an eligible person to apply to the registrar of voters to vote absentee by mail.

Existing law (R.S. 18:1308) requires the registrar to mail absentee by mail voting materials to a person who has applied to vote absentee by mail. Authorizes the registrar to transmit such materials by facsimile if the voter feels he will not have time to vote timely by mail. Authorizes the registrar to transmit such materials electronically to certain hospitalized voters, to members of the U.S. Service, and to persons residing outside the U.S. who are registered to vote. Requires the materials to include the necessary instructions, certificates, ballots, and waiver of the right to a secret ballot. Provides for the content of the waiver. Requires the executed materials to be returned to the registrar by the U.S. Postal Service, a commercial courier, or hand delivery.

New law additionally requires the registrar to transmit absentee by mail voting materials electronically to a voter who is eligible to vote absentee by mail pursuant to existing law (R.S. 18:1303) and who is unable to vote an absentee by mail ballot without assistance because of a disability. Requires the voter to return executed materials to the registrar by facsimile or any means authorized by existing law.

Existing law (R.S. 18:1310) provides procedures for voting absentee by mail. Provides that when a voter receives absentee voting materials by mail, he first shall fill in all blanks on the certificate on the ballot envelope flap. Requires the voter to then mark the ballot according to the printed instructions on its face, place the voted ballot in the envelope, seal the envelope, and sign the certificate on the ballot envelope flap.

Existing law provides procedures to be used when absentee by mail voting materials are received by electronic transmission. Requires the voter to print the documents; mark each ballot according to the instructions on the ballot; fill in all blanks on the certificate and waiver of the right to a secret ballot for each ballot mailing; place each voted ballot, completed certificate, and waiver for each ballot mailing in a separate envelope; seal the envelope; mark "Absentee Ballot Enclosed" on the envelope; and mail the envelope and its contents to the registrar of voters.

Prior law made these procedures applicable only to a member of the U.S. Service or a person residing outside the U.S. who is registered to vote. New law repeals prior law and provides that the procedures apply generally to the use of absentee by mail voting materials transmitted electronically pursuant to existing law and new law. Additionally, specifies that the voter must first mark each ballot, either by marking the ballot electronically and then printing it, or by printing the ballot first and then marking it by hand.

Effective January 1, 2017.

(Amends R.S. 18:1310(A)(2); Adds R.S. 18:1308(A)(1)(d))