

2018 Regular Session

HOUSE BILL NO. 682

BY REPRESENTATIVE SHADOIN

1 AN ACT

2 To amend and reenact R.S. 26:587(C), 588(B), 589, 590, 591, and 594 and to repeal R.S.
3 26:592 and 593, relative to elections held to determine whether the sale of alcoholic
4 beverages will be conducted and licensed in an area; to provide relative to
5 procedures and requirements for conducting such elections; to provide for the date
6 of such elections; to provide relative to procedures for ordering an election; to
7 provide relative to a proposition ordering an election; to provide for notice of the
8 election; to provide for the ballot in such elections; to provide for actions objecting
9 to calling an election or contesting an election; to provide deadlines; to provide
10 relative to recounts; to provide relative to the duties and authority of the parish board
11 of election supervisors concerning such elections; to provide relative to the duties
12 and authority of the governing authority concerning such elections; to require such
13 elections to be conducted in accordance with the Louisiana Election Code; and to
14 provide for related matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 26:587(C), 588(B), 589, 590, 591, and 594 are hereby amended and
17 reenacted to read as follows:

18 §587. Ordering of election; verification of registrar of voters; date of election;
19 notice of election

20 * * *

21 C. The date fixed for the election shall be the next date on which such an
22 election may be held, as provided for in R.S. 18:402(F), ~~which falls more than forty-~~

1 ~~five days after the date verification was filed with the governing authority by the~~
 2 ~~registrar of voters. Written notice of the election shall be transmitted to the secretary~~
 3 ~~of state and each clerk of court and registrar of voters in the area affected by the~~
 4 ~~election. If the election is to be held on a primary election date, then such notice~~
 5 ~~shall be received by the secretary of state at least four weeks prior to the opening of~~
 6 ~~the qualifying period for the primary election. If the election is not to be held on a~~
 7 ~~primary election date, then the notice shall be received by the secretary of state on~~
 8 ~~or before the fifty-fourth day prior to the election. The secretary of state shall not~~
 9 ~~accept any revisions to propositions, including but not limited to changes in title,~~
 10 ~~text, or numerical designations, after the last day for submission of the notice to the~~
 11 ~~secretary of state.~~

12 §588. Ballot; majority determination of issues; separation of results

13 * * *

14 B. If the voter desires to vote "YES" on any or all of these propositions he
 15 shall make an "X" a mark in the square opposite the word "YES". To vote "NO" he
 16 shall make an "X" a mark in the square opposite the word "NO". ~~The vote of the~~
 17 ~~voter on each proposition shall be valid and shall be counted, and failure~~ Failure to
 18 vote on all the five propositions shall not invalidate the ballot as to those
 19 propositions on which a vote was cast.

20 * * *

21 §589. Conduct of election ; ~~voting machines or ballot boxes~~

22 A. The elections shall be ~~by secret ballot and shall be~~ conducted as ~~nearly~~
 23 ~~as possible~~ in accordance with the election laws of the state Louisiana Election Code.
 24 ~~Where not otherwise provided by this Chapter, or by any other law, the authority~~
 25 ~~calling the election shall provide in the call for the manner in which the election shall~~
 26 ~~be conducted and the result thereof promulgated.~~

27 B. ~~Voting machines may be used in political subdivisions which have~~
 28 ~~adopted them for use in general elections. If machines are used, the propositions~~
 29 ~~stipulated in R.S. 26:588 to be printed on the ballot shall be shown on the mechanism~~

1 B. The governing authority calling the election shall preserve a proces verbal
2 of the canvass in accordance with R.S. 18:1293.

3 Section 2. R.S. 26:592 and 593 are hereby repealed in their entirety.

4 Section 3. This Act shall become effective upon signature by the governor or, if not
5 signed by the governor, upon expiration of the time for bills to become law without signature
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
8 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____