

2018 Regular Session

HOUSE BILL NO. 409

BY REPRESENTATIVE GREGORY MILLER

1 AN ACT

2 To amend and reenact R.S. 18:532(A) and (B)(5) and 532.1(B)(2), (C)(3), and (D)(1) and
3 (2)(a), and to repeal R.S. 18:1903, relative to precincts; to provide relative to changes
4 to precinct boundaries; to provide certain limitations on changes to precinct
5 boundaries during certain time periods; to remove certain provisions relative to
6 changes to precinct boundaries; to provide for the duties of the secretary of state
7 relative to mergers of precincts; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. 18:532(A) and (B)(5) and 532.1(B)(2), (C)(3), and (D)(1) and (2)(a) are
10 hereby amended and reenacted to read as follows:

11 §532. Establishment of precincts

12 A. Subject to the provisions of R.S. 18:532.1 ~~and 1903~~, the governing
13 authority of each parish shall establish precincts, define the territorial limits for
14 which each precinct is established, prescribe their boundaries, and designate the
15 precincts. The governing authority of each parish shall by ordinance adopt the
16 establishment and boundaries of each precinct in accordance with the timetable as
17 set forth ~~herein~~ in this Section and in accordance with R.S. 18:532.1.

18 B.

19 * * *

20 (5) The provisions of Paragraph (4) of this Subsection shall not be effective
21 ~~from January 1, 2009, through December 31, 2013~~ during the period of time
22 established by R.S. 18:532.1(D).

23 * * *

1 §532.1. Changing boundaries

2 * * *

3 B.

4 * * *

5 (2)(a) When in order to make it more convenient for voters to vote, ~~or to~~
6 facilitate the administration of the election process, ~~or to accomplish~~
7 ~~reapportionment~~, or to comply with the provisions of R.S. 18:532(B)(1) or (4), it
8 becomes necessary to merge all or part of a precinct with adjacent precincts, a part
9 or parts may be merged but only when the parts that are joined are in the same
10 legislative, Public Service Commission, State Board of Elementary and Secondary
11 Education, state, federal, and local governing authority voting district as such
12 districts have been redistricted subsequent to the release of the latest federal
13 decennial census. However, no precinct shall be merged unless the local governing
14 authorities and the parish, city, or other local public school boards within the area
15 affected by the merger have completed redistricting and, if required, received
16 preclearance pursuant to the Voting Rights Act of 1965.

17 (b) In order to establish block boundaries for ~~the 2010~~ a subsequent federal
18 decennial census, proposed precinct ~~consolidations~~ mergers submitted for review
19 through December ~~31, 2008~~, thirty-first of any year of which the last digit is nine in
20 accordance with Subsection C of this Section, shall not be subject to the requirement
21 that the precincts or parts of the precincts shall be in the same state, local, and
22 municipal office voting district and shall not be subject to the provisions of
23 Paragraph (C)(3) of this Section; however, any ~~consolidation~~ mergers accomplished
24 pursuant to the provisions of this Subparagraph shall be effective for the following
25 purposes at the following times:

26 (i) Not later than ~~January 1, 2010~~, March thirty-first of any year of which the
27 last digit is zero for the purpose of establishing block boundaries for the ~~2010~~ federal
28 decennial census and for reapportionment and redistricting purposes following that
29 federal decennial census.

1 (ii) Not later than July 1, ~~2011~~, first of any year of which the last digit is one
2 for all purposes.

3 ~~(c) The provisions of Subparagraph (b) of this Paragraph shall not apply to~~
4 ~~consolidations required by R.S. 18:532(B)(4).~~

5 * * *

6 C.

7 * * *

8 (3)(a) In addition to the requirements of Paragraph (2) of this Subsection,
9 when the proposed precinct change involves a merger authorized by Paragraph
10 (B)(2) or Subparagraph (D)(1)(b) of this Section, prior to adoption by ordinance, the
11 parish governing authority shall submit proposed changes of the merger to the
12 secretary of state. No change in a precinct merger may be made by the parish
13 governing authority without prior review and approval by the secretary of state,
14 except as provided in this Paragraph. Such review shall consist of either a
15 determination ~~whether~~ that the proposed merger of the precincts establishes a
16 precinct or precincts where all parts of each proposed new precinct are in the same
17 state, local, and municipal office voting district or a determination that the voting
18 machine is capable of accommodating all elections that will occur in the precinct if
19 the proposed merger occurs and the proposed merger will not cause voter
20 inconvenience.

21 (b) The secretary of state shall send a report of the findings resulting from
22 the review to the parish governing authority within forty-five days after the receipt
23 of the proposed precinct changes. If the secretary of state fails to respond within
24 forty-five days after the receipt of the proposed precinct mergers, the proposed
25 mergers shall be deemed to be approved by the secretary of state. No precinct shall
26 be merged until all local governing authorities and the parish or city school board
27 within the area affected by the merger have completed redistricting and, if required,
28 such redistricting has been precleared pursuant to the Voting Rights Act of 1965.

29 D.(1)(a) Notwithstanding any other law to the contrary, no election precinct
30 shall be created, divided, abolished, or merged; or the boundaries thereof otherwise

1 changed between ~~January first of any year of which the last digit is nine and~~
2 December thirty-first of any year of which the last digit is ~~three~~ nine and January
3 first of any year of which the last digit is three.

4 (b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph ~~or~~
5 ~~R.S. 18:1903~~ to the contrary, if the legislature has completed the reapportionment
6 required by Article III, Section 6 of the Constitution of Louisiana following the latest
7 federal decennial census and, if required, has received preclearance pursuant to the
8 Voting Rights Act of 1965, the parish governing authority may merge precincts upon
9 the parish governing authority's certifying in writing to the office of the secretary of
10 state that the parish governing authority and all school boards within the parish have
11 completed all redistricting that is required following the latest federal decennial
12 census ~~and~~ , if required, have received preclearance pursuant to the Voting Rights
13 Act of 1965, and have received written approval to merge the precincts from the
14 office of the secretary of state.

15 (i) A certified copy of the ordinance describing such precinct mergers, a
16 written description of proposed new precinct boundaries, and a copy of a map clearly
17 detailing the precinct boundaries within the parish shall be sent to the secretary of
18 the Senate, and the clerk of the House of Representatives, the secretary of state, the
19 clerk of court, and the registrar of voters of the parish within fifteen days after the
20 adoption of the ordinance.

21 (ii) No precinct merger shall become effective without prior review and
22 approval by the secretary of state, the secretary of the Senate, and the clerk of the
23 House of Representatives, or their designees. The secretary of state, the secretary of
24 the Senate, and the clerk of the House of Representatives, or their designees shall
25 send a report of the findings of the review to the parish governing authority within
26 forty-five days after receipt of the proposed precinct changes. If the secretary of
27 state, the secretary of the Senate, or the clerk of the House of Representatives, or
28 their designees fail to respond within forty-five days after receipt of the proposed
29 precinct changes, the proposed precinct changes shall be deemed to be approved by
30 the official or designee who failed to respond.

1 (2)(a) Notwithstanding the provisions of Paragraph (1) of this Subsection or
2 ~~R.S. 18:1903~~ to the contrary, if after the release of the federal decennial census data
3 a parish governing authority is unable to comply with applicable law regarding
4 redistricting and reapportionment, including adherence to traditional redistricting
5 principles, in the creation of its redistricting or reapportionment plan using the whole
6 precincts submitted to the United States Bureau of the Census, the parish governing
7 authority may divide a precinct into two or more precincts; any such division shall
8 be by a visible feature which is a census tabulation boundary. Upon dividing a
9 precinct, the parish governing authority shall notify the secretary of state of such
10 precinct division in writing.

* * *

12 Section 2. R.S. 18:1903 is hereby repealed in its entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____