SLS 20RS-251

ENGROSSED

2020 Regular Session

SENATE BILL NO. 75

BY SENATOR MIZELL

VOTERS/VOTING. Provides relative to addresses to where absentee by mail ballots are sent. (gov sig)

1	AN ACT
2	To amend and reenact R.S. 18:1306(E)(2)(a) and 1307(A), relative to absentee voting; to
3	prohibit the sending of absentee by mail ballots to certain addresses; to limit who
4	may witness more than one certificate of a voter to an immediate family member;
5	and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 18:1306(E)(2)(a) and 1307(A) are hereby amended and reenacted
8	to read as follows:
9	§1306. Preparation and distribution of absentee by mail and early voting ballots
10	* * *
11	E.(1) * * *
12	(2)(a) An absentee by mail ballot envelope flap shall also contain a line for
13	the handwritten signature of one witness and a line for the printed name of the
14	witness. The voter shall sign the certificate in the presence of one witness and his
15	certificate shall be made under penalty of perjury for providing false or fraudulent
16	information. Above the perforation and along the seal line, the words "DO NOT
17	DETACH FLAP" shall be printed. No person except the immediate family

Page 1 of 4 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	member of the voter, as defined in this Code, shall witness more than one
2	certificate of a voter.
3	* * *
4	§1307. Application by mail
5	A. A person qualified to vote absentee by mail under this Chapter may make
6	application therefor to the registrar by letter; over his signature or mark if the voter
7	is unable to sign his name, signed by two witnesses who witnessed the applicant's
8	mark; setting forth:
9	(1) The election or elections for which he requests an absentee ballot.
10	(2) The reason for his request to vote absentee by mail and attaching any
11	documents in support thereof that are required by law. Any person who is or expects
12	to be temporarily outside the territorial limits of the state or absent from the parish
13	in which he is qualified to vote during the early voting period and on election day
14	and who requests an absentee ballot be mailed to an address within the parish shall
15	indicate in his application the dates he will be outside the territorial limits of the state
16	or absent from the parish.
17	(3) The address to which the absentee ballot or ballots shall be sent. If the
18	address is within the parish or an adjacent parish, such address shall only be the
19	address at which the applicant is registered to vote, his mailing address on file with
20	the registrar of voters, or an address at which he regularly receives mail.
21	(4) Notwithstanding Paragraph (3) of this Subsection, the absentee by
22	mail ballots shall not be sent to the following addresses:
23	(a) The address of a political party.
24	(b) The residential, business, or campaign address of a candidate, unless
25	the address is for the candidate's ballot or a ballot of an immediate family
26	member of the candidate.
27	(c) A business address, unless the business address is the mailing address
28	on file with the registrar of voters or an address at which the person regularly
29	receives mail.

1	(4)(5) The ward and precinct in which the person is qualified to vote, if
2	known.
3	(5)(6) The date of birth of the voter.
4	(6)(7) The maiden name of the voter's mother or other identifying
5	information provided in the voter's application for registration pursuant to R.S.
6	18:104(A)(12).
7	(7)(8) The street address in the parish where the voter resides. A post office
8	box is insufficient.
9	(8)(9) If the person requests that a ballot for a general election be sent in
10	addition to a ballot for the primary, he shall declare in writing to the registrar that he
11	will be eligible to vote absentee by mail in the general election.
12	* * *
13	Section 2. This Act shall become effective upon signature by the governor or, if not
14	signed by the governor, upon expiration of the time for bills to become law without signature
15	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
16	vetoed by the governor and subsequently approved by the legislature, this Act shall become
17	effective on the day following such approval.

The original instrument was prepared by Tim Prather. The following digest, which does not constitute a part of the legislative instrument, was prepared by Dawn Romero Watson.

SB 75 Engrossed

DIGEST 2020 Regular Session

Mizell

<u>Present law</u> regarding absentee election ballots, provides that an absentee by mail ballot envelop flap shall contain a line for the handwritten signature of one witness and a line for the printed name of the witness. Provides that the voter shall sign the certificate in the presence of one witness and his certificate shall be made under penalty of perjury for providing false or fraudulent information.

<u>Proposed law</u> retains <u>present law</u> and prohibits any person other than an immediate family member of the voter to witness more than one certificate of a voter.

<u>Present law</u> provides that a person qualified to vote absentee by mail as provided by <u>present</u> <u>law</u> may apply to the registrar by letter stating:

- (1) The election or elections for which he requests an absentee ballot.
- (2) The reason for his request to vote absentee by mail and attaching any supporting documentation.

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- (3) The address to which the absentee ballot or ballots shall be sent.
- (4) The ward and precinct in which the person is qualified to vote, if known.
- (5) The date of birth of the voter.
- (6) The maiden name of the voter's mother or other identifying information provided in the voter's application for registration.
- (7) The street address in the parish where the voter resides.
- (8) If the person requests that a ballot for a general election be sent in addition to a ballot for the primary, he shall declare in writing to the registrar that he will be eligible to vote absentee by mail in the general election.

<u>Proposed law</u> provides that the absentee by mail ballots will not be sent to the following addresses:

- (1) The address of a political party.
- (2) The residential, business, or campaign address of a candidate, unless the address is for the candidate's ballot or a ballot of an immediate family member of the candidate.
- (3) A business address, unless the business address is the mailing address on file with the registrar of voters or an address at which the person regularly receives mail.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 18:1306(E)(2)(a) and 1307(A))

Summary of Amendments Adopted by Senate

<u>Committee Amendments Proposed by Senate Committee on Senate and</u> <u>Governmental Affairs to the original bill</u>

1. Adds prohibition for any person to witness more than one certificate of a voter other than the voter's immediate family.