

2020 Regular Session

SENATE BILL NO. 173

BY SENATOR BERNARD

ELECTION CODE. Requires a notice to be posted upon the withdrawal or disqualification of a candidate's name that remains on the ballot. (8/1/20)

1 AN ACT

2 To amend and reenact R.S. 18:503 and to enact R.S. 18:503.1, relative to the withdrawal or
3 disqualification of candidates or cancellation of a proposition; to provide for proper
4 notice of withdrawal or disqualification if candidate's name is on the ballot; to
5 provide for notice of cancellation of a proposition; to provide relative to the secretary
6 of state; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:503 is hereby amended and reenacted and R.S. 18:503.1 is hereby
9 enacted to read as follows:

10 §503. Notice of withdrawal and disqualification

11 A.(1) If the early voting election ballot was prepared with a withdrawn
12 candidate's name on it, the registrar of voters of any parish where such ballot will be
13 used shall, to the extent possible **and upon direction of the secretary of state**, cause
14 notice to be posted of the withdrawal of such candidate at any location for early
15 voting where the candidate's name appears on the ballot. Failure to post such notice
16 of withdrawal shall not void the election.

17 (2) If the early voting election ballot was prepared with the name of a

1 candidate who has been disqualified by final judgment of a court prior to the close
2 of early voting for the election, the registrar of voters of any parish where such ballot
3 will be used shall, to the extent possible **and upon direction of the secretary of**
4 **state**, cause notice to be posted of the disqualification of the candidate at any
5 location for early voting where the candidate's name appears on the ballot. Failure
6 to post such notice of disqualification shall not void the election.

7 B.(1) If the election ballot was printed with a withdrawn candidate's name on
8 it, the clerk of court of any parish where such ballot will be used shall, to the extent
9 possible **and upon direction of the secretary of state**, cause notice to be posted of
10 the withdrawal of such candidate at any polling place where the candidate's name
11 appears on the ballot. Such notice shall be posted or placed adjacent to the precinct
12 register so that it is clearly visible. The notice shall be capitalized and in bold typed
13 print of not less than fourteen-point font. Failure to post such notice of withdrawal
14 shall not void the election.

15 (2) If the election ballot was printed with the name of a candidate who has
16 been disqualified by a final judgment of a court, the clerk of court of any parish
17 where such ballot will be used shall, to the extent possible **and upon direction of**
18 **the secretary of state**, cause notice to be posted of the disqualification of such
19 candidate at any polling place where the candidate's name appears on the ballot. Such
20 notice shall be posted or placed adjacent to the precinct register so that it is clearly
21 visible. The notice shall be capitalized and in bold typed print of not less than
22 fourteen-point font. Failure to post such notice of disqualification shall not void the
23 election.

24 **§503.1. Notice of cancellation of proposition**

25 **A.(1) If the early voting election ballot was prepared with a proposition**
26 **that has been canceled, the registrar of voters of any parish where such ballot**
27 **will be used shall, to the extent possible and upon direction of the secretary of**
28 **state, cause notice to be posted of the cancellation of the proposition at any**
29 **location for early voting where the proposition appears on the ballot.**

1 **(2) If the election ballot was printed with a proposition that has been**
2 **canceled, the clerk of court of any parish where such ballot will be used shall,**
3 **to the extent possible and upon direction of the secretary of state, cause notice**
4 **to be posted of the cancellation of the proposition at any polling place where the**
5 **proposition appears on the ballot. Such notice shall be posted or placed adjacent**
6 **to the precinct register so that it is clearly visible. The notice shall be capitalized**
7 **and in bold typed print of not less than fourteen-point font.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Tim Prather.

DIGEST

SB 173 Engrossed

2020 Regular Session

Bernard

Present law provides that if the early voting election ballot was prepared with a withdrawn or disqualified candidate's name on it, the registrar of voters of any parish where such ballot will be used will cause notice to be posted of the withdrawal or disqualification of such candidate at any location for early voting where the candidate's name appears on the ballot.

Present law provides that if the election ballot was printed with a withdrawn or disqualified candidate's name on it, the clerk of court of any parish where the ballot will be used will cause notice to be posted of the withdrawal or disqualification of such candidate at any polling place where the candidate's name appears on the ballot.

Present law provides that such notice will be posted or placed adjacent to the precinct register so that it is clearly visible and the notice will be capitalized and in bold typed print of not less than 14-point font.

Proposed law retains present law and further provides that such withdrawal or disqualification notice would be at the direction of the secretary of state.

Proposed law provides that if the early voting election ballot was prepared with a proposition that has been canceled, the registrar of voters of any parish where such ballot will be used will, upon direction of the secretary of state, cause notice to be posted of the cancellation of the proposition at any location for early voting where the proposition appears on the ballot.

Proposed law provides that if the election ballot was printed with a proposition that has been canceled, the clerk of court of any parish where such ballot will be used will, upon direction of the secretary of state, cause notice to be posted of the cancellation of the proposition at any polling place where the proposition appears on the ballot.

Proposed law provides that such notice will be posted or placed adjacent to the precinct register so that it is clearly visible and will be capitalized and in bold typed print of not less than 14-point font.

Effective August 1, 2020.

(Amends R.S. 18:503; adds R.S. 503.1)