

RÉSUMÉ DIGEST

ACT 312 (SB 218)

2020 Regular Session

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Prior law required that a person who desires to become a candidate in a primary election qualify as a candidate by timely filing notice of his candidacy, which will be accompanied either by a nominating petition or by the qualifying fee and any additional fee imposed.

New law retains these provisions and requires that candidate provide proof of identity in the form of a valid La. driver's license or an identification card issued by the Department of Public Safety and Corrections.

New law requires that if a notice of candidacy is filed in person by the candidate, the qualifying official is to compare the name and address on the proof of identity with the information on the notice of candidacy; make a notation in the database of the secretary of state; if the address on the proof of identity is different than the address on the notice of candidacy, the qualifying official is to return the proof of identity to the candidate.

New law provides that if notice of candidacy is filed by certified mail or commercial carrier, or by facsimile or electronic mail or by an agent on behalf of the candidate, then a copy of the candidate's proof of identity is to be sent to the qualifying official with the notice of candidacy. Requires the qualifying official to compare name and address shown on the copy of the proof of identity with the information on the notice of candidacy. Requires the qualifying official to make a notation in the database of the secretary of state if the address on the copy of the proof of identity is different than the address on the notice of candidacy, and then destroy the copy of the proof of identity.

Further requires that if notice of candidacy is filed by an agent on behalf of a candidate then proof of the agent's identity shall be provided in the form of a valid La. driver's license or La. special identification card.

New law provides that if the address on the proof of identity of a candidate is different than the candidate's address on the notice of candidacy, the secretary of state shall make a notation that there is a difference on any list on his website which contains the name of the candidate.

Effective January 15, 2021.

(Amends R.S. 18:461(A)(1); adds R.S. 18:461(A)(4) and (5))