

RÉSUMÉ DIGEST

ACT 9 (SB 22)

2020 Second Extraordinary Session

Hewitt

Prior law provided that in a parish where the parish board of election supervisors tabulates and counts absentee by mail and early voting ballots in accordance with prior law (R.S. 18:1313.1), a member of the board may be compensated not more than eight days for a presidential or regularly scheduled congressional general election or seven days for any other primary or general election.

New law retains prior law but additionally provides that in a parish where the parish board of election supervisors tabulates and counts absentee by mail and early voting ballots in accordance with new law (R.S. 18:1313.2), a member of the board may be compensated not more than eleven days for a presidential or regularly scheduled congressional general election or ten days for any other primary or general election if any such election is impaired as the result of a declared disaster or emergency.

Prior law provided that parishes with one thousand or more absentee by mail ballots returned to the registrar of voters for a primary or general election may conduct the preparation and verification process for the tabulation and counting of absentee by mail and early voting ballots the day before the election. Provided that if the parish board of election supervisors determines that parish board commissioners are necessary for the preparation and verification process to count and tabulate the absentee by mail and early voting ballots the day before the election, it will do so in accordance with the provisions of R.S. 18:1314. Prior law further provided that the preparation and verification process for the counting of absentee by mail and early voting ballots may be conducted the day before the election at a public facility within the parish designated by the registrar of voters at a time fixed by the parish board of election supervisors. Prior law additionally provided that candidates, their representatives, and qualified electors may be present during the preparation and verification process for the counting and tabulation of absentee by mail and early voting ballots on the day before election day. Provided that the parish board assisting with the preparation and verification for the tabulation and counting of absentee by mail ballots and early voting paper ballots sort the ballots to differentiate those that have been challenged from those that have not and execute the first certificate on the envelope or container and date the certificate the day before the election.

New law (R.S. 18:1313.2) retains prior law but additionally provides similar provisions for elections impaired as the result of a declared disaster or emergency and allows the preparation and verification process to begin four days before election day. Further provides that if the parish board of election supervisors determines that parish board commissioners are necessary for the preparation and verification process to count and tabulate the absentee by mail and early voting ballots beginning four days prior to the election, it will do so in accordance with the provisions of R.S. 18:1314. Specifies that candidates, their representatives, and qualified electors may be present during the preparation and verification process for the counting and tabulation of absentee by mail and early voting ballots that may start being conducted four days prior to the election. Provides that the parish board assisting with the preparation and verification for the tabulation and counting of absentee by mail ballots and early voting paper ballots sort the ballots to differentiate those that have been challenged from those that have not and execute the first certificate on the envelope or container and date the certificate with the date on which it was executed.

Provides that new law shall be void and of no effect on Aug. 1, 2021.

Prior law provides that during the preparation and verification process for the counting of absentee by mail and early voting ballots on the day before the election, as applicable, or the counting of absentee by mail and early voting ballots on election day, any candidate or his representative, member of the board, or qualified elector may challenge an absentee by mail or early voting ballot for cause, other than those grounds specified in R.S. 18:565(A).

New law retains prior law but additionally provides, for elections impaired as the result of a declared disaster or emergency, that during the preparation and verification process for the counting of absentee by mail and early voting ballots before an election in accordance with new law (R.S. 18:1313.2), or the counting of absentee by mail and early voting ballots on election day in accordance with new law (R.S. 18:1313.2), any candidate or his representative, member of the board, or qualified elector may challenge an absentee by mail or early voting ballot for cause, other than those grounds specified in R.S. 18:565(A).

Effective upon signature of the governor (October 23, 2020).

(Amends R.S. 18:423(J) and 1315(B); adds R.S. 18:1313.2)