

2021 Regular Session

HOUSE BILL NO. 167

BY REPRESENTATIVE MIKE JOHNSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

VOTING/REGISTRATION: Provides for removal of deceased persons from voter registration rolls

1 AN ACT

2 To amend and reenact R.S. 18:173, relative to voter registration rolls; to provide relative to
3 removal of deceased persons from such rolls; to provide relative to Department of
4 State and registrar of voter responsibilities; to provide for an effective date; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:173 is hereby amended and reenacted to read as follows:

8 §173. Deaths

9 ~~B. A.~~ A. Upon receipt of a certified copy of a death certificate, the registrar of
10 voters shall remove from the voter registration rolls the name of the deceased within
11 three business days.

12 ~~C. B.~~ B. By the tenth day of each month the parish health officer shall send
13 notice to the registrar of voters of the death of each person in the parish during the
14 preceding month and shall include the deceased person's parish of residence.

15 ~~D. (1) C.~~ (1) C. By the tenth day of each month, the secretary of the Louisiana
16 Department of Health shall send to the Department of State a report, certified as
17 correct over his signature or the signature of his authorized representative, containing
18 the name, address, date of birth, sex, ~~and~~ social security number, place of birth,
19 mother's maiden name, and alias name, as such information exists in the database of

1 the Louisiana Department of Health, of any person sixteen years of age or older who
2 died in each parish of the state within the preceding calendar month.

3 (2) The Department of State shall cancel, within three business days, the
4 registration of any deceased person when the information provided by the Louisiana
5 Department of Health corresponds to at least three of the following criteria as
6 provided on the voter's registration of the deceased: the name, address, date of birth,
7 sex, social security number, place of birth, mother's maiden name, or alias name.
8 ~~exactly to the criteria for cancellation of voter registration as established in R.S.~~
9 ~~18:108.~~ The Department of State shall promptly notify the registrar of the parish in
10 which the voter was registered of such cancellation.

11 (3) The information received from the Louisiana Department of Health
12 regarding deceased persons whose registrations were not canceled pursuant to
13 Paragraph (2) of this Subsection shall be sent monthly to the registrar of voters for
14 each parish by the Department of State.

15 ~~E. D.~~ The registrar of voters shall do a search of obituaries for deceased
16 persons whose registrations were not canceled. The registrar of voters ~~may~~ shall use
17 information from an obituary notice to cancel a deceased voter's registration if the
18 notice provides sufficient information to properly identify the voter and the registrar
19 has confirmed the voter's death with the office of vital records.

20 Section 2. This Act shall become effective upon signature by the governor or, if not
21 signed by the governor, upon expiration of the time for bills to become law without signature
22 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
23 vetoed by the governor and subsequently approved by the legislature, this Act shall become
24 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 167 Original

2021 Regular Session

Mike Johnson

Abstract: Provides criteria for removing deceased persons from voter registration rolls

Present law requires a registrar of voters to remove from the voter registration rolls the name of a deceased upon receipt of a certified copy of a death certificate. Proposed law retains present law and requires such removal to be within three days of receipt of such death certificate.

Present law requires the La. Dept. of Health (LDH) to send a report each month to the Dept. of State regarding persons in each parish in the state who died in the preceding month. Further requires the Dept. of State to cancel the registration of any deceased person when the information provided by the LDH corresponds exactly to voter information.

Proposed law changes present law to require that the Dept. of State cancels such registration within three business days if the information provided by the LDH corresponds with at least three pieces of identifying information as provided on the decedent's voter registration.

Present law authorizes a registrar of voters to cancel registrations based on obituaries. Proposed law requires the registrar to do so.

Present law requires the Dept. of State to send information from the LDH to the registrars of voters pertaining to deceased persons whose registrations were not cancelled. Proposed law requires registrars to search for obituaries for such persons.

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

(Amends R.S. 18:173)