

2021 Regular Session

HOUSE BILL NO. 285

BY REPRESENTATIVE JAMES

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

VOTERS/VOTING: Provides relative to the amount a time a person may remain in a voting machine

1 AN ACT

2 To amend and reenact R.S. 18:563(C)(1) and 1309(E)(4)(a), relative to voting; to provide
3 for the amount of time a voter may remain in a voting machine; to provide for an
4 effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 18:563(C)(1) and 1309(E)(4)(a) are hereby amended and reenacted
7 to read as follows:

8 §563. Procedure for voting

9 * * *

10 C.(1) A voter shall not remain in a voting machine ~~longer than three minutes~~
11 for an unreasonable amount of time. If a voter fails to leave a voting machine
12 promptly after a commissioner has notified him that ~~three minutes have~~ a reasonable
13 amount of time has elapsed, the commissioners shall order the voter to complete
14 voting and leave the voting machine. For purposes of this Paragraph, a reasonable
15 amount of time shall mean at least five minutes and, if the ballot is lengthy or if it
16 contains complex propositions or constitutional amendments, the commissioners
17 may allocate additional time in an equitable manner.

18 * * *

19 §1309. Early voting; verification

20 * * *

1 E.

2 * * *

3 (4)(a) A voter shall not remain in a voting machine ~~longer than three minutes~~
4 for an unreasonable amount of time. If a voter fails to leave a voting machine
5 promptly after the registrar or deputy registrar has notified him that ~~three minutes~~
6 have a reasonable amount of time has elapsed, the registrar or deputy registrar shall
7 have the voter removed from the voting machine. For purposes of this
8 Subparagraph, a reasonable amount of time shall mean at least five minutes and, if
9 the ballot is lengthy or if it contains complex propositions or constitutional
10 amendments, the registrar or deputy registrar may allocate additional time in an
11 equitable manner.

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.

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 285 Original

2021 Regular Session

James

Abstract: Changes the amount of time a voter may remain in the voting machine from no more than three minutes to at least five minutes and authorizes election officials to allocate additional time in an equitable manner if the ballot is lengthy or complex.

Present law provides that during early voting and on election day, a voter shall not remain in a voting machine longer than three minutes. Provides that if a voter fails to leave a voting machine promptly after being notified by the appropriate election official that three minutes have elapsed, the commissioner, if on election day, shall order the voter to complete voting and leave the voting machine, and if during early voting, the registrar or deputy registrar shall have the voter removed from the voting machine.

Proposed law provides instead that a voter shall not remain in a voting machine for an unreasonable amount of time. Provides that if a voter fails to leave a voting machine promptly after being notified by the appropriate election official that a reasonable amount of time has elapsed, the commissioner, if on election day, shall order the voter to complete

voting and leave the voting machine, and if during early voting, the registrar or deputy registrar shall have the voter removed from the voting machine. Proposed law provides that a reasonable amount of time shall mean at least five minutes and, if the ballot is lengthy or if it contains complex propositions or constitutional amendments, the appropriate election officials may allocate additional time in an equitable manner.

Present law specially allows a voter receiving assistance in voting or a voter using the audio ballot to remain in a voting machine for up to 20 minutes. Proposed law retains present law.

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

(Amends R.S. 18: 18:563(C)(1) and 1309(E)(4)(a))