

2021 Regular Session

SENATE BILL NO. 220

BY SENATOR CLOUD

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

LEGISLATIVE AUDITOR. Provides relative to the legislative auditor. (8/1/21)

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AN ACT

To enact R.S. 24:513(D)(7), relative to the legislative auditor; to provide relative to examinations, audits, and reviews of elections; to provide for the submission and presentation of reports to certain legislative committees; to provides for the retention of election records subject to examination by the legislative auditor; to provide for terms, conditions, and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 24:513(D)(7) is hereby enacted to read as follows:

§513. Powers and duties of legislative auditor; audit reports as public records; assistance and opinions of attorney general; frequency of audits; subpoena power

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D. In addition, the legislative auditor shall perform the following duties and functions:

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(7)(a) The legislative auditor shall examine, audit, or review local, state, and federal elections that are held pursuant to the provisions of the Louisiana

1 Election Code, R.S. 18:1 et seq., and shall prescribe the scope, frequency, and
2 methodology of the examinations in accordance with his authority provided in
3 R.S. 24:511 et seq. The scope of the examinations may include an overview of
4 the election processes and controls, election best practices, fraud prevention,
5 ballot security, and signature matching.

6 (b) For the purposes of this Paragraph, the legislative auditor may
7 utilize a performance-based or risk-based approach in accordance with
8 appropriate auditing standards for the examinations of elections.

9 (c) Notwithstanding any provision of law to the contrary, all records and
10 papers, including but not limited to mail ballot applications, mail ballots, voting
11 rolls, and paper and electronic voting records, that come into an election
12 official's possession relating to the qualifying of candidates, the selection of
13 commissioners, alternate commissioners, and watchers, and the conduct or
14 results of a primary or general election, shall be retained for a period of not less
15 than five years. For the purposes of this Subparagraph, an "election official"
16 shall have the same meaning as provided in R.S. 18:1466.

17 (d) The legislative auditor shall submit an annual report to the Senate
18 Committee on Senate and Governmental Affairs and the House Committee on
19 House and Governmental Affairs on or before May first of each year. The
20 report shall contain an overview of the election processes and controls and a
21 summary of the election reports completed by the legislative auditor during the
22 previous calendar year along with copies of those reports. The legislative
23 auditor shall present the annual report to the Senate Committee on Senate and
24 Governmental Affairs and the House Committee on House and Governmental
25 Affairs, meeting separately or jointly, not later than May thirty-first of each
26 year.

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