

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.

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

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

1 (2) The Department of State shall cancel the registration of any deceased
2 person when the information provided by the Louisiana Department of Health
3 corresponds exactly to the criteria for cancellation of voter registration as established
4 ~~in R.S. 18:108~~ by the secretary of state. The Department of State shall promptly
5 notify the registrar of the parish in which the voter was registered of such
6 cancellation.

7 (3) The information received from the Louisiana Department of Health
8 regarding deceased persons whose registrations were not canceled pursuant to
9 Paragraph (2) of this Subsection shall be sent monthly to the registrar of voters for
10 each parish by the Department of State. The registrar of voters shall review the
11 information received from the Louisiana Department of Health to determine if the
12 matches of information are sufficient to cancel or challenge the registration of
13 deceased persons.

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

19 Section 2. This Act shall become effective on June 1, 2022.

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 Engrossed

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 person upon receipt of a certified copy of a 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 LDH corresponds to criteria established by present law.

Proposed law requires such cancellation if the information provided by LDH corresponds to criteria established by the secretary of state.

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

Effective June 1, 2022.

(Amends R.S. 18:173)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Delete proposed law imposing a three day deadline on the cancellation of registration of deceased persons.
2. Delete proposed law providing the criteria for the removal of deceased persons from voter rolls.
3. Add provision for the secretary of state to establish criteria for the removal of deceased persons from voter rolls.
4. Add provision requiring the registrar of voters to review the information received from LDH to determine if information is sufficient to cancel or challenge the registration of deceased persons.
5. Change the effective date of proposed law.