

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) A voter shall not remain in a voting machine longer than ~~three~~ six
11 minutes. If a voter fails to leave a voting machine promptly after a commissioner
12 has notified him that ~~three~~ six minutes have elapsed, the commissioners shall order
13 the voter to complete voting and leave the voting machine.

14 (b) Notwithstanding Subparagraph (a) of this Paragraph, if the ballot is
15 lengthy or if it contains complex propositions or constitutional amendments, the
16 commissioners may allocate additional time in an equitable manner.

17 * * *

18 §1309. Early voting; verification

19 * * *

1 E.

2 * * *

3 (4)(a)(i) A voter shall not remain in a voting machine longer than ~~three~~ six
4 minutes. If a voter fails to leave a voting machine promptly after the registrar or
5 deputy registrar has notified him that ~~three~~ six minutes have elapsed, the registrar or
6 deputy registrar shall have the voter removed from the voting machine.

7 (ii) Notwithstanding Item (i) of this Subparagraph, if the ballot is lengthy or
8 if it contains complex propositions or constitutional amendments, the registrar or
9 deputy registrar may allocate additional time in an equitable manner.

10 * * *

11 Section 2. This Act shall become effective on January 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 285 Engrossed

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James

Abstract: Changes the amount of time a voter may remain in the voting machine from no more than three minutes to no more than six 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 longer than six minutes. Proposed law further provides that 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. Proposed law otherwise retains present law.

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 Jan. 1, 2022.

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

Summary of Amendments Adopted by House

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

1. Remove proposed "unreasonable amount of time" limit standard for a voter to vote and remove provision that at least five minutes constituted a "reasonable amount of time".
2. Change the amount of time a voter may remain in the voting machines to no longer than six minutes, with an authorization for election officials to allocate additional time if the ballot is lengthy or contains complex propositions or constitutional amendments.
3. Change effective date from signature of the governor to Jan. 1, 2022.