

SENATE BILL NO. 64

BY SENATOR BERNARD

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

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AN ACT

To amend and reenact the introductory paragraph of R.S. 18:1462(A) and R.S. 18:1462(A) (3), (4), and (5), relative to acts prohibited during early voting or on election day; to provide for campaign material and political advertising restrictions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 18:1462(A) and R.S. 18:1462 (A)(3), (4), and (5) are hereby amended and reenacted to read as follows:

§1462. Acts prohibited during early voting or on election day; electioneering; intimidation; exceptions; enforcement; penalties

A. The Legislature of Louisiana recognizes that the right to vote is a right that is essential to the effective operation of a democratic government. ~~Due to a past, longstanding history of election problems, such as multiple voting, votes being recorded for persons who did not vote, votes being recorded for deceased persons, voting by non-residents, vote buying, and voter intimidation, the legislature finds that the state has a compelling interest in securing a person's right to vote in an environment which is free from intimidation, harassment, confusion, obstruction, and undue influence.~~ **In order to preserve the integrity of its election process, and to protect the right of citizens to vote freely for the candidates of their choice, the state has a compelling interest in establishing a zone securing polling locations against certain conduct and activities, including voter intimidation, election fraud, confusion, and general disorder, that would interfere with the exercise of the right to vote.** The legislature, therefore, enacts this Subsection to provide for a six hundred foot campaign-free zone around polling places to provide to each voter such an environment in which to exercise his right to vote. Except as otherwise

1 specifically provided by law, it shall be unlawful for any person, between the hours
2 of 6:00 a.m. and 9:00 p.m., to perform or cause to be performed any of the following
3 acts within any polling place being used in an election on election day or during
4 early voting, or within a radius of six hundred feet of the entrance to any polling
5 place being used in an election on election day or during early voting:

6 * * *

7 (3) To hand out, place, or display campaign cards, pictures, or other
8 campaign literature of any kind or description whatsoever **which advocate for or**
9 **against any candidate, proposition, or political party appearing on the ballot in**
10 **the election.**

11 (4) To place or display political signs, pictures, or other forms of political
12 advertising **which advocate for or against any candidate, proposition, or political**
13 **party appearing on the ballot in the election.**

14 (5) To circulate a ~~recall~~ petition or seek handwritten signatures to a ~~recall~~
15 petition.

16 * * *

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

22

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____