

2021 Regular Session

HOUSE BILL NO. 388

BY REPRESENTATIVES HARRIS AND HODGES

1 AN ACT

2 To amend and reenact R.S. 18:423(J), 1313.1(A), (B), (C)(1), (E), and (G)(introductory
3 paragraph), (6), and (7), and 1315(B) and to repeal R.S. 18:1313.2, relative to the
4 preparation, verification, tabulation, and counting of absentee by mail and early
5 voting ballots; to provide for the timing of such processes; to provide relative to
6 elections impaired as the result of a declared disaster or emergency; to provide for
7 an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 18:423(J), 1313.1(A), (B), (C)(1), (E), and (G)(introductory
10 paragraph), (6), and (7), and 1315(B) are hereby amended and reenacted to read as follows:

11 §423. Parish boards of election supervisors

12 * * *

13 J.~~(1)~~ Notwithstanding Subsection E of this Section, in a parish where the
14 parish board of election supervisors tabulates and counts absentee by mail and early
15 voting ballots in accordance with R.S. 18:1313.1, a member of the board may be
16 compensated not more than eight days for a presidential or regularly scheduled
17 congressional general election or seven days for any other primary or general
18 election.

19 ~~(2) Notwithstanding any provision of this Section to the contrary, in a parish~~
20 ~~where the parish board of election supervisors tabulates and counts absentee by mail~~
21 ~~and early voting ballots in accordance with R.S. 18:1313.2, a member of the board~~

1 accordance with the provisions of R.S. 18:1314. If a majority of the members of the
 2 board are not present for the preparation and verification process to count the
 3 absentee by mail and early voting ballots or to count the absentee by mail and early
 4 voting ballots and no parish board commissioners were previously selected, the
 5 members present may select a sufficient number of parish board commissioners ~~on~~
 6 ~~the day~~ three days before the election or on election day, as applicable, to assist in
 7 the preparation and verification process for the tabulation and counting of absentee
 8 by mail and early voting ballots and the tabulation and counting of the ballots.

9 C.(1) The preparation and verification process for the counting of the
 10 absentee by mail and early voting ballots may be conducted ~~the day~~ before the
 11 election at a public facility within the parish designated by the registrar of voters at
 12 a time fixed by the parish board of election supervisors.

13 * * *

14 E. Candidates, their representatives, and qualified electors may be present
 15 during the preparation and verification process for the counting and tabulation of
 16 absentee by mail and early voting ballots ~~on the day~~ before the election and the
 17 counting and tabulation of absentee by mail and early voting ballots on election day.
 18 If the counting and tabulation of absentee by mail and early voting ballots begins
 19 prior to the closing of the polls on election day, the board shall give notice
 20 reasonably calculated to inform any person who wants to be present during the
 21 counting and tabulation that no person will be allowed to leave or to communicate
 22 with any other person outside, until such time as the polls are closed, nor shall any
 23 person who is present during the counting and tabulation of absentee by mail and
 24 early voting ballots on election day possess a cellular telephone or electronic
 25 communication device.

26 * * *

27 G. The procedure for the preparation and verification process for the
 28 tabulation and counting of absentee by mail ballots and early voting paper ballots ~~on~~
 29 ~~the day~~ before the election shall be as follows:

30 * * *

1 Section 2. R.S. 18:1313.2 is hereby repealed in its entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____