

2021 Regular Session

HOUSE BILL NO. 704 (Substitute for House Bill No. 599 by Representative Hodges)

BY REPRESENTATIVE HODGES

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AN ACT

To amend and reenact R.S. 18:435(A)(4) and (B)(2) and to enact R.S. 18:435(A)(1)(c) and (5) and (B)(1)(c) and 1309(N), relative to elections; to provide for the appointment of poll watchers; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:435(A)(4) and (B)(2) are hereby amended and reenacted and R.S. 18:435(A)(1)(c) and (5) and (B)(1)(c), and 1309(N) are hereby enacted to read as follows:

§435. Watchers; appointment and commission

A.(1)

\* \* \*

(c) A state central committee of a political party recognized pursuant to R.S. 18:441, and having at least twenty-five percent of the registered voters in the state registered as being affiliated with the political party, is entitled to have one watcher at every precinct on election day where a candidate affiliated with the political party is on the ballot. The chairman of the state central committee shall sign and file one list of watchers on a form provided by the secretary of state or on a form which contains the same information as required by the form provided by the secretary of state.

\* \* \*

1           (4)(a) The state central committee of a recognized political party having at  
2           least twenty-five percent of the registered voters in the state registered as being  
3           affiliated with such political party is entitled to have political party super watchers  
4           in each parish in which a candidate affiliated with such political party is on the  
5           ballot. The designation of political party super watchers shall be made in accordance  
6           with this Section and as provided in Subparagraph (b) of this Paragraph.

7           (b)(i) In a parish with fewer than fifty thousand registered voters, the state  
8           central committee of such a recognized political party may designate one political  
9           party super watcher.

10          (ii) In a parish with fifty thousand or more but fewer than one hundred  
11          thousand registered voters, the state central committee of such a recognized political  
12          party may designate two political party super watchers.

13          (iii) In a parish with one hundred thousand or more but fewer than one  
14          hundred-fifty thousand registered voters, the state central committee of such a  
15          recognized political party may designate three political party super watchers.

16          (iv) In a parish with one hundred-fifty thousand or more but fewer than two  
17          hundred thousand registered voters, the state central committee of such a recognized  
18          political party may designate four political party super watchers.

19          (v) In a parish with two hundred thousand or more registered voters, the state  
20          central committee of such a recognized political party may designate five political  
21          party super watchers.

22          (c) Each political party super watcher shall have the qualifications, powers,  
23          and duties of watchers provided for by R.S. 18:427 and shall be admitted as a  
24          watcher in every precinct in the designated parish where a candidate affiliated with  
25          his political party is on the ballot, except that not more than one political party super  
26          watcher may serve at a single precinct at the same time.

27          (d) The chairman of the state central committee of the political party shall  
28          sign and be responsible for filing the list of political party super watchers.

1                 (5) The commissioners shall regulate the number of watchers inside the  
2                 polling place as provided in R.S. 18:427.

3                 B.(1)

4                                     \*        \*        \*

5                 (c) A list of political party super watchers submitted by a party for the  
6                 primary election may be used for the general election only if the chairman of the  
7                 state central committee of the party notifies the clerk of court in writing by 4:30 p.m.  
8                 on the tenth business day before the general election that he wants to use the same  
9                 list of political party super watchers.

10                (2) Except for a candidate, state central committee of a recognized political  
11                party filing a list of political party super watchers, or recognized political party filing  
12                for a slate of candidates for presidential elector, any person filing a list of watchers  
13                ~~must~~ shall attach a certified statement that the report required by R.S. 18:1486 has  
14                been filed with the supervisory committee in compliance with the Campaign Finance  
15                Disclosure Act.

16                                     \*        \*        \*

17                §1309. Early voting; verification

18                                     \*        \*        \*

19                N.(1) The state central committee of a recognized political party having at  
20                least twenty-five percent of the registered voters in the state registered as being  
21                affiliated with such political party is entitled to have an early voting watcher at each  
22                early voting location, as space permits, at which a candidate affiliated with the  
23                political party is on the ballot.

24                (2) A qualified voter of the state who is not a candidate in the election may  
25                serve as an early voting watcher.

26                (3) A watcher shall be admitted within the designated early voting location  
27                during the conduct of early voting where a candidate affiliated with such political  
28                party is on the ballot and shall call any infraction of the law to the attention of the  
29                registrar of voters or deputy registrar. An early voting watcher may keep notes on  
30                the conduct of early voting, but he shall not take part in performing the procedures

1 of Subsections D, E, and F of this Section. An early voting watcher shall not  
2 electioneer, engage in political discussions, or unnecessarily delay a voter at the  
3 polling place. An early voting watcher is subject to the authority of the registrar of  
4 voters or deputy registrar and shall not interfere with the registrar or deputy registrar  
5 in the performance of their duties. A state central committee of a political party shall  
6 be entitled to have both a watcher and alternate watcher serve at the same early  
7 voting location, except that the early voting watcher and alternate watcher may not  
8 serve at a single voting location at the same time.

9 (4) The registrar of voters or deputy registrar shall regulate the number of  
10 watchers inside the early voting location as provided in R.S. 18:427.

11 (5) A list of early voting watchers shall be filed with the registrar of voters  
12 by hand delivery, facsimile, mail, or commercial courier before 4:30 p.m. on the  
13 fourteenth business day before the first day of early voting for the primary or general  
14 election; however, if the fourteenth business day before the first day of early voting  
15 for the primary or general election falls on a Saturday, Sunday, or other legal  
16 holiday, the list shall be filed on the next day which is not a Saturday, Sunday, or  
17 other legal holiday. For purposes of this Paragraph, "commercial courier" shall have  
18 the same meaning as provided in R.S. 13:3204(D).

19 (6) The chairman of the state central committee of the political party shall  
20 sign and be responsible for filing the list of early voting watchers. If candidates  
21 affiliated with the political party are on the ballot in more than one parish, a list of  
22 watchers shall be filed with the registrar of voters in each parish where the political  
23 party will have early voting watchers.

24 (7) A list of early voting watchers submitted for the primary election may  
25 be used for the general election only if the chairman of the state central committee  
26 of the political party notifies the registrar of voters in writing by 4:30 p.m. on the  
27 tenth business day before the start of early voting for the general election that he  
28 wants to use the same list of early voting watchers.

1                   (8) A list of early voting watchers shall contain only one early voting  
 2                   watcher and one alternate watcher for each early voting location where the state  
 3                   central committee of the political party is entitled to have an early voting watcher.  
 4                   The list shall be typed or legibly written, and it shall contain the name and mailing  
 5                   address of each early voting watcher and alternate watcher and a designation of the  
 6                   early voting location where each is to serve.

7                   Section 2. This Act shall become effective on January 1, 2022.

\_\_\_\_\_  
 SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
 PRESIDENT OF THE SENATE

\_\_\_\_\_  
 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_