

RÉSUMÉ DIGEST

ACT 85 (SB 64)

2021 Regular Session

Bernard

Prior law provided for legislative intent regarding the creation of a campaign-free zone around polling places to ensure that voters are able to exercise the right to vote in a secure environment and acknowledges prior instances of election problems that led to the creation of the campaign-free zone.

New law removes references to prior election problems and clarifies the legislative intent is to preserve the integrity of the 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.

Except as otherwise specifically provided by law, prior law provided for a campaign-free zone around polling places by prohibiting certain acts between the hours of 6:00 a.m. and 9:00 p.m. within any polling place being used in an election on election day or during early voting, or within a radius of 600 feet of the entrance to any polling place being used in an election on election day or during early voting.

New law retains prior law.

Prior law prohibited soliciting any other person to vote for or against any candidate or proposition being voted on in an election within the zone during the designated time period.

New law retains prior law.

Prior law prohibited handing out, placing, or displaying campaign cards, pictures, or other campaign literature of any kind or description whatsoever and placing or displaying political signs, pictures, or other forms of political advertising within the zone during the designated time period.

New law specifies that the prohibition applies to materials advocating for or against any candidate, proposition, or political party appearing on the ballot in the election.

Prior law prohibited circulating a recall petition or seeking handwritten signatures to a recall petition within the zone during the designated time period.

New law retains prior law and further prohibits circulating or seeking signatures to any petition within the zone during the designated time period.

Effective upon signature of the governor (June 4, 2021).

(Amends R.S. 18:1462(A)(intro para), (3), (4), and (5))