
DIGEST

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HB 359 Engrossed

2022 Regular Session

Beaulieu

Abstract: Prohibits implementation of federal election directives and guidance and spending of federal money for elections under certain conditions.

Proposed law requires and prohibits certain actions related to elections by the secretary of state and his employees, registrars of voters and their employees, clerks of court and their employees, parish boards of election supervisors and their employees, commissioners-in-charge, and commissioners, all referred to in this digest as election officials.

Proposed law requires an election official who receives a federal directive or guidance pertaining to elections that is not published on the secretary of state's website to notify the governor, the speaker of the La. House of Representatives and the president of the La. Senate of such directive or guidance within five business days.

Proposed law prohibits an election official from implementing any federal directive or guidance pertaining to elections unless the implementation is explicitly required by law or one of the following applies:

- (1) The House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs approve the implementation after consulting with the secretary of state or his designee.
- (2) Neither committee prohibits the implementation within 30 days after receipt of a request from the official for authority to implement the directive or guidance.

Proposed law prohibits an election official from accepting or dispersing new federal elections funds unless the acceptance and dispersal is explicitly required by law or one of the following applies:

- (1) The Joint Legislative Committee on the Budget votes to approve the acceptance and dispersal of the funds after consulting with the secretary of state or his designee.
- (2) The Joint Legislative Committee on the Budget does not vote to disapprove the acceptance and dispersal within 30 days after receipt of a request from the official for authority to accept and disperse the funds.

Proposed law provides that if an election official accepts and disperses federal election funds in violation of proposed law, the attorney general shall pursue any available legal means to enjoin the

official from doing so and to recover expended funds.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 18:425.2)

Summary of Amendments Adopted by House

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

1. Require the legislative committees to consult with the secretary of state or his designee before taking an action contemplated by proposed law.
2. Limit applicability of proposed law regarding acceptance and dispersal of federal elections funds to "new" federal funds.
3. Exempt directives and guidance that are posted on the secretary of state's website from the notification requirements or proposed law.