

CONFERENCE COMMITTEE REPORT

HB 1082

2022 Regular Session

Gaines

June 6, 2022

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1082 by Representative Gaines, recommend the following concerning the Reengrossed bill:

1. That the Amendment proposed by the Legislative Bureau (#4109) be adopted.

Respectfully submitted,

Representative Randal L. Gaines

Senator Sharon Hewitt

Representative John M. Stefanski

Senator Edward J. "Ed" Price

Representative Sam L. Jenkins, Jr.

Senator Glen Womack

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

CONFERENCE COMMITTEE REPORT DIGEST

HB 1082

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Keyword and oneliner of the instrument as it left the House

ELECTIONS: Provides for election procedures during a state of emergency

Report adopts Senate amendments to:

1. Makes technical changes.

Digest of the bill as proposed by the Conference Committee

Present law provides that when a polling place is relocated, the clerk of court in conjunction with the secretary of state shall give adequate notice of the change of the location to each voter registered to vote at that polling place and to each candidate to be voted on at that polling place.

Proposed law provides that the secretary of state shall also post a list of all changed polling locations on the secretary of state's website.

Present law provides that after the issuance of an executive order by the governor declaring a state of emergency and if the secretary of state determines that such emergency impairs an election due to certain circumstances, the secretary of state shall certify such facts and the reasons therefor to the governor, the Senate Committee on Senate and Governmental Affairs, and the House Committee on House and Governmental Affairs.

Present law provides that if the governor and a majority of the members of each committee concur that such an emergency plan is necessary, the secretary of state shall develop a written emergency plan that proposes a resolution to the problems impairing the holding of the election. Provides that the plan shall propose a resolution to problems impairing the holding of the election with respect to the following:

- (1) Relocation or consolidation of polling places.
- (2) Shortages of commissioners and absentee commissioners.
- (3) Shortages of voting machines.
- (4) Conducting early voting for displaced persons.

Present law requires the secretary of state to submit the emergency plan to the Senate Committee on Senate and Governmental Affairs, the House Committee on House and Governmental Affairs, and the governor. If a majority of the members of the legislative committees approve the emergency plan, the plan shall be submitted to the members of each house of the legislature for approval by mail ballot. If the legislature and the governor approve the emergency plan, the secretary of state shall implement the plan.

Proposed law provides that after the initial declaration of an emergency within 45 days prior to an election, the secretary of state shall take necessary actions to ensure successful execution of the election including:

- (1) Adjusting deadlines.
- (2) Adjusting provision of equipment, staffing, and other resources.

Present law regarding concurrence of the governor and the legislative committees that an emergency action is necessary and regarding the approval of the plan by the governor and the legislature is not applicable to proposed law.

Proposed law requires the Dept. of State to provide a report to the legislature within 15 days of an election detailing such actions taken pursuant to proposed law.

Effective Oct. 1, 2022.

(Adds R.S. 18:401.2(B)(5) and 401.4)