

ACT No. 274

2022 Regular Session

HOUSE BILL NO. 646

BY REPRESENTATIVE STEFANSKI

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AN ACT

To amend and reenact R.S. 18:59.4(D)(2) and (E)(2)(c), 115(F)(1)(introductory paragraph) and (a) and (2)(a)(iii), 154(C)(2)(c) and (D)(1) and (2), 423(C), (E), and (H), 433(A)(1) and (5), (B)(1), and (D), 434(D)(2), 435(B)(1)(b), 602(E)(2)(b), 604(B)(2)(b), 621(B), 1278(B), 1279, 1300.2(C)(1), 1300.7(B), 1306(B)(1), 1308(A)(2)(j)(ii), 1309(J), 1313(H)(13) and (K)(2)(a), 1313.1(I)(5) and (L)(2)(a), 1371, and 1511.3(E), to enact R.S. 18:154(C)(2)(f), and to repeal R.S. 18:1532, relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code; to provide relative to the Louisiana Voter Registration Administrators' Certification Program; to provide relative to registration by mail; to provide relative to records of the registrars of voters; to provide relative to the replacement of a commissioner; to provide relative to watchers; to provide relative to vacancies in certain offices; to provide relative to petitions for a recall election; to provide relative to preparation, distribution, and tabulation of absentee by mail and early voting ballots; to provide relative to absentee voting by mail; to provide relative to early voting; to provide relative to parish boards of election supervisors; to provide relative to courses of instruction of commissioners; to remove the requirement for election day expenditure reports; to provide for effective dates; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:59.4(D)(2) and (E)(2)(c), 115(F)(1)(introductory paragraph) and (a) and (2)(a)(iii), 154(C)(2)(c) and (D)(1) and (2), 434(D)(2), 435(B)(1)(b), 602(E)(2)(b),

1 604(B)(2)(b), 621(B), 1278(B), 1279, 1300.2(C)(1), 1300.7(B), 1306(B)(1),
2 1308(A)(2)(j)(ii), 1309(J), 1313(H)(13) and (K)(2)(a), 1313.1(I)(5) and (L)(2)(a), and
3 1511.3(E) are hereby amended and reenacted and R.S. 18:154(C)(2)(f) is hereby enacted to
4 read as follows:

5 §59.4. The Louisiana Voter Registration Administrators' Certification Program;
6 requirements; compensation

7 * * *

8 D.

9 * * *

10 (2) The Voter Registration Administrators' Certification Program requires
11 the following: a minimum of twelve courses of twelve hours in length for a total of
12 one hundred forty-four hours to be completed within five years, except that if a
13 gubernatorially declared state of emergency impacts the certification process, the
14 course work shall be completed within six years; maintenance of a yearly rating of
15 "excellent" as determined through the standards specified in R.S. 18:55(A); five
16 years work experience related to the administration of elections and voter
17 registration; and completion of all continuing education course hours required to
18 maintain certification. If these requirements are not met, the registrar of voters, chief
19 deputy registrar, or confidential assistant, as the case may be, will lose certification
20 and certification compensation until certification requirements are once again
21 attained.

22 E.

23 * * *

24 (2)

25 * * *

26 (c) A registrar of voters, chief deputy registrar, or confidential assistant to
27 a registrar of voters shall complete the requirements of ~~Subsections D and E of this~~
28 ~~Section~~ Subsection D of this Section and this Subsection in order to receive the seven
29 percent compensation enhancement. If a registrar of voters, chief deputy registrar,
30 or confidential assistant to a registrar of voters does not complete the certification

1 program as provided in ~~Subsections D and E of this Section~~ Subsection D of this
 2 Section and this Subsection, his salary shall remain as provided in R.S. 18:55 or 59.
 3 If, after certification, a registrar of voters, chief deputy registrar, or confidential
 4 assistant to a registrar of voters does not receive certification renewal within each
 5 three-year period, or within a four-year period if a gubernatorially declared state of
 6 emergency impacts the certification process, his salary shall revert back to the salary
 7 scale provided for in R.S. 18:55 or 59. Notwithstanding the provisions of R.S. 18:57,
 8 the failure to maintain certification shall result in the loss of the compensation
 9 enhancement provided for in this Section.

10 * * *

11 §115. Registration by mail

12 * * *

13 F.(1) Any registered voter who has registered by mail and has not previously
 14 voted in the parish in which he is registered shall vote in accordance with one of the
 15 following:

16 (a) ~~During early voting in the office of the registrar of voters, or~~ In person
 17 at any location where early voting is conducted in the parish in which he is registered
 18 to vote.

19 * * *

20 (2) The provisions of Paragraph (1) of this Subsection shall not apply in the
 21 case of the following:

22 (a)

23 * * *

24 (iii) Any person who is otherwise entitled to vote and who has submitted to
 25 the registrar of voters current proof of disability from a physician, optometrist,
 26 physician assistant as defined in R.S. 37:1360.22, or a nurse practitioner as defined
 27 in R.S. 37:913 along with a certification from the physician, optometrist, physician
 28 assistant as defined in R.S. 37:1360.22, or a nurse practitioner as defined in R.S.
 29 37:913 which indicates that by reason of the person's disability the person is unable
 30 to appear in person to vote either during early voting or at the polling place on

1 election day, and if the person submitted the proof of disability to registrar by mail,
 2 who included in his submission to the registrar a copy of his Louisiana driver's
 3 license, his Louisiana special identification card issued pursuant to R.S. 40:1321, or
 4 other generally recognized picture identification card that contains the name and
 5 signature of the person, or a form on which the person has listed the names and
 6 addresses of at least two persons residing in his precinct who could make oath, if
 7 required, to the effect that the person is physically disabled.

8 * * *

9 §154. Records open to inspection; copying; exceptions

10 * * *

11 (C)

12 * * *

13 (2)

14 * * *

15 (c) Notwithstanding the provisions of Paragraph (1) of this Subsection, the
 16 Department of State or registrar of voters ~~may~~ shall transmit the email address, if
 17 available, of a candidate to the ~~Supervisory Committee on Campaign Finance~~
 18 ~~Disclosure~~ Board of Ethics for purposes of contacting the ~~candidate~~ person regarding
 19 ~~campaign finance reporting~~ matters relating to laws within the jurisdiction of the
 20 board. The ~~supervisory committee~~ Board of Ethics shall not disclose information
 21 transmitted to it pursuant to this Subparagraph.

22 * * *

23 (f) Notwithstanding the provisions of Paragraph (1) of this Subsection, the
 24 Department of State or registrar of voters may transmit a registered voter's full date
 25 of birth and mother's maiden name to the Louisiana Department of Health to amend
 26 the voter's birth certificate. The Louisiana Department of Health shall not disclose
 27 information transmitted to it pursuant to this Subparagraph.

28 D.(1) Notwithstanding the provisions of this Section, the registrar shall not
 29 disclose the name and address of a law enforcement officer, ~~other than on a general~~
 30 ~~list~~, if he has received certification from the law enforcement agency employing the

1 officer that the officer is engaging in hazardous activities to the extent that it is
2 necessary for his name and address to be kept confidential.

3 (2) Notwithstanding the provisions of this Section, the Department of State
4 shall not disclose the name and address of a law enforcement officer, ~~other than on~~
5 ~~a general list,~~ if the secretary of state has received certification from the law
6 enforcement agency employing the officer that the officer is engaging in hazardous
7 activities to the extent that it is necessary for his name and address to be kept
8 confidential.

9 * * *

10 §434. Commissioners and alternate commissioners; selection; commission;
11 disqualification; replacement

12 * * *

13 D. Replacement of a commissioner.

14 * * *

15 (2) If a commissioner fails to appear at the polling place at least thirty
16 minutes before the time when the polls are to open on election day, or if a
17 commissioner is selected as commissioner-in-charge, the commissioner-in-charge
18 shall select an alternate commissioner to serve in place of the absent commissioner.
19 An alternate commissioner who replaces an absent commissioner in a primary
20 election shall replace the absent commissioner in the general election. If there are
21 no alternate commissioners or an insufficient number of alternate commissioners
22 available, the commissioner-in-charge shall select a person to serve as commissioner
23 from the list containing the names of those who have received certificates of
24 instruction that was furnished him by the parish board of election supervisors
25 pursuant to ~~R.S. 18:431(A)(5)~~ R.S. 18:431(B)(4). If no person on that list is
26 available to serve as commissioner, the commissioner-in-charge shall select any
27 person present at the polls who possesses the qualifications of a commissioner as set
28 forth in R.S. 18:425(B). If there is no such qualified person available, the
29 commissioner-in-charge shall select a watcher.

30 * * *

1 §435. Watchers; appointment and commission

2 * * *

3 B.(1)

4 * * *

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

9 * * *

10 §602. Vacancies in certain local and municipal offices; exceptions

11 * * *

12 E.

13 * * *

14 (2)

15 * * *

16 (b) Immediately thereafter the governing authority; or the school board; or,
17 ~~the governor, as the case may be,~~ if the governor issued the proclamation, the
18 secretary of state shall publish the proclamation in the official journal of each parish
19 in which the election is to be held.

20 * * *

21 §604. Marshal of city or municipal court; temporary absence; vacancy

22 * * *

23 (B)

24 * * *

25 (2)

26 * * *

27 (b) The appropriate governing authority or ~~the governor, as the case may be,~~
28 if the governor issued the proclamation, the secretary of state shall publish the
29 proclamation in the official journal of the parish in which the election is to be held

1 and also shall immediately send a copy of the proclamation by certified or registered
2 mail to the clerk of the district court for the parish in which the vacancy occurred.

3 * * *

4 §621. Vacancy in office of judge

5 * * *

6 B. Immediately after issuance of the proclamation, the ~~governor~~ secretary
7 of state shall publish the proclamation in the official journal of each parish in which
8 the election is to be held. Within twenty-four hours after its issuance, the governor
9 shall send a copy of the proclamation to the secretary of state. Within twenty-four
10 hours after he receives the copy, the secretary of state shall notify all election
11 officials having any duty to perform in connection with a special election to fill such
12 vacancy, including the parish boards of election supervisors for the parish or parishes
13 in which the vacancy occurred.

14 * * *

15 §1278. Vacancies; United States senator

16 * * *

17 B. If a vacancy occurs in the office of United States senator and the
18 unexpired term is more than one year, an appointment to fill the vacancy shall be
19 temporary. Any senator so appointed shall serve until his successor is elected at a
20 special election and takes office. Within ten days after receiving official notice of
21 the vacancy, the governor shall issue a proclamation for special election to fill the
22 vacancy for the unexpired term. The date of the special election shall be established
23 by the governor in accordance with the provisions of R.S. 18:402(E). The dates of
24 the qualifying period shall be established by the governor in accordance with R.S.
25 18:467, 467.1, and 468. ~~Immediately after issuance of the proclamation, which shall~~
26 ~~include the dates of the primary and general elections and the dates of the qualifying~~
27 ~~period, the governor shall publish the proclamation in the official journal of each~~
28 ~~parish in which the election is to be held.~~ Within twenty-four hours after its
29 issuance, the governor shall send a copy of the proclamation to the secretary of state.
30 Within twenty-four hours after he receives the copy, the secretary of state shall

1 notify all election officials having any duty to perform in connection with a special
 2 election to fill such vacancy, including the parish boards of election supervisors for
 3 the parish or parishes in which the vacancy occurred. Immediately thereafter the
 4 secretary of state shall publish the proclamation in the official journal of each parish
 5 in which the election is to be held. The election shall be conducted and the returns
 6 shall be certified as in regular elections for United States senator.

7 * * *

8 §1279. Vacancies; representatives in congress

9 When a vacancy occurs in the office of representative in congress, the
 10 governor shall determine the dates on which the special elections shall be held and
 11 the dates of the qualifying period and shall issue a proclamation ordering a special
 12 election and specifying the dates on which the primary and general elections will be
 13 held and the dates of the qualifying period for the election. ~~Immediately thereafter~~
 14 ~~he shall publish the proclamation in the official journal of each parish in which the~~
 15 ~~election is to be held.~~ Within twenty-four hours after issuing the proclamation, the
 16 governor shall send a copy of the proclamation to the secretary of state, who shall
 17 within twenty-four hours of receipt of the information notify all election officials
 18 having any duty to perform in connection with a special election to fill such vacancy,
 19 including the parish boards of election supervisors for the parish or parishes in which
 20 the vacancy occurred. Immediately thereafter the secretary of state shall publish the
 21 proclamation in the official journal of each parish in which the election is to be held.
 22 The election shall be conducted in the same manner and at the same places and the
 23 returns shall be certified as in regular congressional elections. If at a primary or
 24 general election in a congressional district one representative in congress is to be
 25 elected for a full term and another to fill a vacancy, the ballots containing the names
 26 of the candidates shall, as a part of the title of the office, designate the term for which
 27 the candidates are respectively nominated.

28 * * *

1 §1300.2. Petition for recall election; campaign finance disclosure

2 * * *

3 C.(1) Prior to the entering of any signatures on a petition, the chairman
4 designated to represent the petitioners shall file with the secretary of state a copy of
5 the recall petition which will be used and copies of a picture identification that
6 contain the name and signature of the chairman and vice chairman, respectively, or
7 copies of current utility bills, bank statements, government checks, paychecks, or
8 other government documents that show the name and address of the chairman and
9 vice chairman, respectively. Upon receipt of the recall petition, the secretary of state
10 shall endorse thereon the fact and the date of filing. A copy shall be transmitted by
11 the secretary of state to the registrar of voters for each parish in which the recall
12 election is to be held. The chairman shall list on the petition every parish that is
13 wholly or partially within the voting area where the recall election is to be held. The
14 petition shall be considered filed when it is received in the office of the secretary of
15 state, ~~or at the time it is postmarked by the United States Postal Service or is~~
16 ~~received on a return receipt request form, if it is subsequently received in the office~~
17 ~~of the secretary of state.~~ Upon receipt of the recall petition, the secretary of state
18 shall produce a report of the number of qualified electors in the voting area wherein
19 the recall election is sought effective on the date of receipt of the recall petition and
20 shall notify the registrar of voters in each parish in the voting area of the number of
21 qualified electors of the voting area in the parish for issuance of the certification.

22 * * *

23 §1300.7. Governor to order election; proclamation; publication

24 * * *

25 B. ~~Immediately after the issuance of the proclamation, the governor shall~~
26 ~~publish the proclamation in the official journal of each parish in which the election~~
27 ~~is to be held.~~ Within twenty-four hours after issuing the proclamation, the governor
28 shall send a copy of the petition and proclamation, by registered or certified mail, to
29 the clerk of the district court for each parish in which the election is to be held. If
30 the election is to be held in Orleans Parish, the city of New Orleans, the copy of the

1 petition and proclamation shall be mailed to the clerk of the criminal district court.
 2 A copy of the petition and proclamation also shall be sent to the secretary of state.
 3 Within twenty-four hours after he receives the copies, the secretary of state shall
 4 notify all other election officials having any duty to perform in connection with a
 5 recall election, including the parish board of election supervisors for the parish or
 6 parishes in which the election is held. Immediately after receipt of the proclamation,
 7 the secretary of state shall publish the proclamation in the official journal of each
 8 parish in which the election is to be held.

9 * * *

10 §1306. Preparation and distribution of absentee by mail and early voting ballots

11 * * *

12 B.(1) The secretary of state shall prepare absentee by mail ballot envelopes,
 13 absentee by mail instructions, certificates, and other absentee by mail balloting
 14 paraphernalia consistent with the provisions of this Chapter, subject to approval of
 15 the attorney general as to content. The specifications of the absentee by mail ballot
 16 envelopes shall be determined by the secretary of state. Notwithstanding the
 17 provisions of R.S. 18:1316 relating to distinguishing marks on absentee by mail
 18 ballots, absentee by mail voting instructions on absentee by mail ballots to be
 19 transmitted by facsimile in accordance with R.S. 18:1308(A)(1)(b) shall inform the
 20 voter of the types of marks which may be used on the ballot to indicate his vote.
 21 When a court of competent jurisdiction, a registrar of voters, the secretary of state,
 22 or other competent authority determines that there exists a literate linguistic minority
 23 equal to more than five percent of the total population of any parish, the secretary of
 24 state, with approval of the attorney general as to content, shall prepare and furnish
 25 absentee by mail and early voting ballots, absentee by mail and early voting
 26 instructions, and certificates in the minority language in sufficient quantity to
 27 provide to each absentee by mail and early voter requesting voting material in that
 28 language.

29 * * *

1 §1308. Absentee voting by mail

2 A.

3 * * *

4 (2)

5 * * *

6 (j)

7 * * *

8 (ii) The secretary of state as the chief election officer of the state shall take
9 all actions reasonably necessary to allow registered voters who are unable to vote
10 during early voting or at the polling place on election day due to out-of-parish or out-
11 of-state work responsibilities relating to a declared emergency to vote, whether by
12 mail, facsimile, or other means of transmission of the ballot.

13 * * *

14 §1309. Early voting; verification

15 * * *

16 J.(1) Upon approval of the secretary of state, a registrar of voters may utilize
17 commissioners selected and trained by the registrar of voters to assist the registrar
18 during the early voting period in the conduct of early voting by his office. A
19 registrar of voters shall, in seeking the approval of the secretary of state, indicate to
20 the secretary the number of commissioners that is required for such assistance. A
21 commissioner who assists the registrar in the conduct of early voting shall take an
22 oath of office as a deputy registrar for the early voting period and shall complete an
23 affidavit prepared by the secretary of state that contains the name, address, and last
24 four digits of the social security number of the early voting commissioner and an
25 acknowledgment that the law prohibits the disclosure of confidential voter
26 information listed in the precinct register or early voting list kept by the registrar.
27 The affidavit shall be retained in the office of the registrar of voters. A
28 commissioner who assists the registrar in the conduct of early voting shall be paid
29 in accordance with R.S. 18:426.1(A)(3) and B, if applicable, for each day of such
30 assistance.

1 (2) For an election held within one year following the date of the issuance
 2 of a gubernatorial declaration of an emergency, if a registrar of voters determines
 3 that there is a parishwide shortage of early voting commissioners because a
 4 significant number of early voting commissioners have been temporarily displaced
 5 due to such emergency, the registrar of voters may submit a written request to the
 6 secretary of state, on or before the fourteenth day prior to the start of early voting,
 7 for additional early voting commissioners from other parishes to assist the registrar
 8 in the conduct of early voting. A registrar of voters shall, in seeking the approval of
 9 the secretary of state, indicate to the secretary the number of early voting
 10 commissioners that is required for such assistance and an explanation of the need for
 11 additional early voting commissioners. If the secretary of state determines that there
 12 is a need for additional early voting commissioners and that the allocation of
 13 additional commissioners is feasible, the secretary of state shall approve the request
 14 and notify the registrar of voters of the parish affected by the emergency. The
 15 registrar of voters of the affected parish shall select early voting commissioners to
 16 serve in the affected parish based on availability and proximity. The registrar of
 17 voters of the affected parish shall ensure that the selected early voting commissioners
 18 have received adequate training on the voting machines that are used in the affected
 19 parish and on any procedures necessary for the conduct of the election. A
 20 commissioner who assists the registrar of voters in the conduct of early voting shall
 21 take an oath of office as a deputy registrar of voters for the early voting period and
 22 shall complete an affidavit prepared by the secretary of state that contains the name,
 23 address, and last four digits of the social security number of the early voting
 24 commissioner and an acknowledgment that the law prohibits the disclosure of
 25 confidential voter information listed in the precinct register or early voting list kept
 26 by the registrar. The affidavit shall be retained in the office of the registrar of voters.
 27 A commissioner who assists the registrar in the conduct of early voting shall be paid
 28 in accordance with R.S. 18:426.1(A)(3) and (B), if applicable, for each day of such
 29 assistance. The selected early voting commissioners, upon approval by the secretary
 30 of state, shall be entitled to appropriate reimbursement for travel expenses.

* * *

1 §1313. Tabulation and counting of absentee by mail and early voting ballots

2 * * *

3 H. The procedure for counting early voting machine ballots and paper ballots
4 voted during early voting shall be as follows:

5 * * *

6 (13) The absentee by mail and early voting votes cast for a candidate and
7 those cast for and against a proposition shall be counted and the total number of
8 absentee by mail and early voting votes cast for a candidate and those cast for and
9 against a proposition ~~shall be announced in the order the offices and candidates and~~
10 ~~propositions are listed on the ballot. The members of the board shall enter~~ shall be
11 entered by the members of the board as the total number of votes on the final
12 absentee by mail and early voting vote report, and the members of the board shall
13 certify the results. A copy of the final absentee by mail and early voting vote report
14 shall be posted by a member of the board after the polls close at the location where
15 the tabulation and counting was conducted and the office of the registrar of voters.

16 * * *

17 K.

18 * * *

19 (2)(a)(i) Notwithstanding the provisions of Paragraph (1) of this Subsection,
20 if the number of absentee by mail and early voting ballots cast for all candidates for
21 an office could make a difference in the outcome of the election for such office, upon
22 the written request of a candidate for such office, the board shall recount the absentee
23 by mail ballots by hand or scanning equipment and early voting ballots
24 electronically, unless paper ballots were used for early voting and in such case, the
25 ballots shall be recounted by hand for such office. The registrar shall preserve the
26 envelope or container and its contents inviolate and, except upon the board
27 recounting the absentee by mail ballots, shall not allow the absentee by mail and
28 early voting ballots to be inspected by anyone until the recounting of the absentee by
29 mail and early voting ballots by the board.

1 (ii) Notwithstanding the provisions of Paragraph (1) of this Subsection, if the
 2 number of absentee by mail and early voting ballots cast for and against a
 3 proposition could make a difference in the outcome of the election, upon the written
 4 request of a person who voted in the proposition election, the board shall recount the
 5 absentee by mail ballots by hand or scanning equipment and early voting ballots
 6 electronically, unless paper ballots were used for early voting and in such case, the
 7 ballots shall be recounted by hand for such election. The registrar shall preserve the
 8 envelope or container and its contents inviolate and, except upon the board
 9 recounting the absentee by mail ballots, shall not allow the absentee by mail and
 10 early voting ballots to be inspected by anyone until the recounting of the absentee by
 11 mail and early voting ballots by the board.

12 * * *

13 §1313.1. Preparation, verification, tabulation, and counting of absentee by mail and
 14 early voting ballots

15 * * *

16 I. The procedure for counting early voting machine ballots on election day
 17 shall be as follows:

18 * * *

19 (5) The absentee by mail and early voting votes cast for a candidate and
 20 those cast for and against a proposition shall be counted and the total number of
 21 absentee by mail and early voting votes cast for a candidate and those cast for and
 22 against a proposition ~~shall be announced in the order the offices and candidates and~~
 23 ~~propositions are listed on the ballot. The members of the board shall enter~~ shall be
 24 entered by the members of the board as the total number of votes on the final
 25 absentee by mail and early voting vote report, and the members of the board shall
 26 certify the results. A copy of the final absentee by mail and early voting vote report
 27 shall be posted by a member of the board after the polls close at the location where
 28 the tabulation and counting was conducted and the office of the registrar of voters.

29 * * *

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L.

* * *

(2)(a)(i) Notwithstanding the provisions of Paragraph (1) of this Subsection, if the number of absentee by mail and early voting ballots cast for all candidates for an office could make a difference in the outcome of the election for such office, upon the written request of a candidate for such office, the board shall recount the absentee by mail ballots by hand or scanning equipment and early voting ballots electronically, unless paper ballots were used for early voting and in such case, the ballots shall be recounted by hand for such office. The registrar shall preserve the envelope or container and its contents inviolate and, except upon the board recounting the absentee by mail ballots, shall not allow the absentee by mail and early voting ballots to be inspected by anyone until the recounting of the absentee by mail and early voting ballots by the board.

(ii) Notwithstanding the provisions of Paragraph (1) of this Subsection, if the number of absentee by mail and early voting ballots cast for and against a proposition could make a difference in the outcome of the election, upon the written request of a person who voted in the proposition election, the board shall recount the absentee by mail ballots by hand or scanning equipment and early voting ballots electronically, unless paper ballots were used for early voting and in such case, the ballots shall be recounted by hand for such election. The registrar shall preserve the envelope or container and its contents inviolate and, except upon the board recounting the absentee by mail ballots, shall not allow the absentee by mail and early voting ballots to be inspected by anyone until the recounting of the absentee by mail and early voting ballots by the board.

* * *

§1511.3. Filing of reports; forms; notice

* * *

E. The supervisory committee shall notify each person who has qualified for office the preceding year and whose last filed disclosure report reflects a deficit, each person who filed a supplemental report the preceding year which reflected a deficit,

1 and each declared but unqualified candidate who filed a report the previous year, of
 2 the date that the annual report as provided in R.S. 18:1491.6(E) and 18:1495.4(E) is
 3 due and of the information required in the report. Each notice shall be mailed or sent
 4 by electronic mail at least thirty days prior to the date the report is due; however,
 5 failure by the supervisory committee to notify a candidate, committee, or other
 6 person as required by this Subsection shall not bar or be a defense to any action
 7 brought against a candidate, treasurer or chairman of any committee, or other person
 8 by the supervisory committee under the provisions of this Chapter.

9 Section 2. R.S. 18:423(C), (E), and (H), 433(A)(1) and (5), (B)(1), and (D), and
 10 1371 are hereby amended and reenacted to read as follows:

11 §423. Parish boards of election supervisors

12 * * *

13 C. Composition. (1) In each parish, the board of election supervisors shall
 14 be composed of the registrar of voters, the clerk of court, the chairman of the parish
 15 executive committee of each recognized political party or his designee, or an
 16 alternate designee if the designee cannot serve, who both of whom shall be a ~~member~~
 17 members of the parish executive committee of the same recognized political party,
 18 and one member, or an alternate member if the member cannot serve, appointed by
 19 the governor.

20 (2) In a parish where a parish executive committee of a recognized political
 21 party has not been formed or where there is a vacancy in the office of chairman, the
 22 chairman of the state central committee of that political party may appoint a voter
 23 and an alternate voter who ~~is~~ are registered in the parish as being affiliated with the
 24 political party to serve on the parish board of election supervisors.

25 (3) None of the following members of the parish board of election
 26 supervisors shall be an employee of the clerk of court or the registrar of voters in the
 27 parish or an immediate family member of the clerk of court or his designee or the
 28 registrar of voters or his designee:

29 (a) The designee or alternate designee of the chairman of a parish executive
 30 committee.

1 (b) The appointee or alternate appointee of the chairman of a state central
 2 committee.

3 (c) The appointee or alternate appointee of the governor.

4 * * *

5 E. Compensation. Each member of the parish board of election supervisors
 6 shall receive fifty dollars for each day, not to exceed six days, actually spent in the
 7 performance of his duties in preparing for and supervising each election held in the
 8 parish, except that each member of the board may be compensated for not more than
 9 seven days for a presidential or regularly scheduled congressional primary or general
 10 election. In addition, each member of the board who is not a public official shall
 11 receive fifty dollars for each day spent in court as a subpoenaed witness in litigation
 12 concerning the performance of his duties as a member of the parish board of election
 13 supervisors in connection with an election.

14 * * *

15 H. Designees. (1) The clerk of court and the registrar of voters may each
 16 appoint a designee to serve in his place on the parish board of election supervisors
 17 when he is absent from any meetings of the board. Any designee of the registrar of
 18 voters shall be a sworn deputy registrar. For each day of such service the designee
 19 of the clerk of court or the registrar of voters shall be paid the same compensation
 20 as a member, and the designating member shall not be compensated for that day.
 21 Any compensation paid to the designee shall be counted against the designating
 22 member's compensation, which shall not exceed ~~six days~~ the number of days as
 23 provided in Subsection E of this Section.

24 (2) For each day of service the designee or alternate designee of the
 25 chairman of the parish executive committee, the designee or alternate designee of the
 26 chairman of the state central committee, and the member or alternate member of the
 27 governor shall be paid the same compensation as a member or appointee, and the
 28 designating member or appointee shall not be compensated for that day. Any
 29 compensation paid to the designee or alternate designee of the chairman of the parish
 30 executive committee, designee or alternate designee of the chairman of the state

1 central committee, or member or alternate member appointed by the governor shall
2 be counted against the compensation of the designating member or governor's
3 member, which shall not exceed the number of days as provided in Subsection E of
4 this Section.

5 * * *

6 §433. Commissioners-in-charge; course of instruction; selection; commission;
7 disqualification; replacement

8 A. Course of instruction. (1) The clerk of court shall conduct a course of
9 instruction for commissioners-in-charge during the period beginning August first
10 through the end of December of each year. However, if the governor declares a state
11 of emergency between August first and December thirty-first of any year, the
12 deadline to complete the course is January thirty-first of the year following the
13 gubernatorially declared state of emergency. The course shall be open to any
14 certified commissioner who meets the qualifications set forth in R.S. 18:424(B).

15 * * *

16 (5) On or before ~~December thirty-first of each year~~, the deadline specified
17 in Paragraph (1) of this Subsection but after the date of the course of instruction, the
18 clerk of court shall file with the parish board of election supervisors a certified list
19 containing the name of each person to whom he has issued a certificate, together
20 with the social security number, the party affiliation, the mailing address, and the
21 ward in which each such person is registered to vote. As soon as possible thereafter,
22 the clerk of court shall enter the list in the state voter registration computer system.

23 * * *

24 B. Selection. (1)(a) The parish board of election supervisors shall meet at
25 10:00 a.m. ~~on~~ by the second Friday in January of each year to select a commissioner-
26 in-charge to serve at each precinct in the parish. The meeting shall be open to the
27 public. The board shall have previously posted a notice on the front door of the
28 courthouse stating the location within the courthouse where the meeting is to be held.
29 The selection of commissioners-in-charge shall be made from the certified list

1 furnished by the clerk as required by Paragraph (A)(5) of this Section and in the
 2 manner ~~hereafter set forth~~. provided for in this Subsection.

3 (b) If the course of instruction for commissioners-in-charge is delayed due
 4 to a gubernatorially declared state of emergency as provided by Paragraph (A)(1) of
 5 this Section, the parish board of election supervisors shall meet at 10:00 a.m. on or
 6 before the fifth day after completion of the course of instruction.

7 * * *

8 D. Term of office. A commissioner-in-charge shall serve a term of office of
 9 one year, commencing on the third Monday in January of the year of selection or, if
 10 applicable, on the date of his selection during a meeting held in accordance with
 11 Subparagraph (B)(1)(b) of this Section, provided that the commissioner-in-charge
 12 remains on the list of certified commissioners during his term of office.

13 * * *

14 §1371. Delivery and return of machines and supplies; contract; time of delivery

15 A.(1)(a) The secretary of state shall contract for the delivery to the voting
 16 precincts of the election day machines and other election equipment and supplies for
 17 which he is responsible and for their return to the storage warehouses. The
 18 specifications for the contract shall be prepared by the secretary of state after
 19 consultation with and approval by the parish custodian of the parish in which the
 20 contract is to be performed. The contract shall be advertised and let in accordance
 21 with the Louisiana Procurement Code. The governing authority of the parish or
 22 municipality in which the voting machines are to be used may submit bids and be
 23 awarded contracts for the drayage of the voting machines.

24 (b) The secretary of state may contract for delivery the week prior to the
 25 beginning of early voting until no later than 11:59 p.m. on the day before early
 26 voting begins for an election, in the parishes that have three or more early voting
 27 locations, of the voting machines and other election equipment and supplies for
 28 which he is responsible and for their return to the offices of the registrars of voters
 29 or the location designated by the registrar of voters within twenty-four hours of the
 30 end of early voting. The specifications for the contract shall be prepared by the

1 secretary of state after consultation with and approval by the registrar of voters of the
2 parish in which the contract is to be performed. The contract shall be advertised and
3 let in accordance with the Louisiana Procurement Code. The governing authority of
4 the parish or municipality in which the voting machines are to be used may submit
5 bids and be awarded contracts for the drayage of the early voting machines.

6 (2) In addition to all other notices and advertisements for bids required, the
7 secretary of state shall furnish notice of the invitation for bids at least thirty days
8 prior to the opening of bids for each contract for the delivery of machines to the early
9 voting locations or voting precincts for a parish in the following manner:

10 (a) Publish notice of the invitation for bids in a newspaper of general
11 circulation printed in such parish or, if there is no newspaper printed in such parish,
12 in a newspaper printed in the nearest parish that has a general circulation in the
13 parish covered by the contract.

14 (b) Send such notice to the clerk of court for such parish who shall
15 prominently post such notice in his office.

16 (c) Notify the parish governing authority for such parish of the contract and
17 that such parish governing authority is allowed to bid on such contract.

18 (3) Contracts for the delivery of voting machines to the early voting
19 locations or voting precincts in a parish may be entered into on a parish or regional
20 basis. If a single contract provides for the delivery of voting machines to the early
21 voting locations or voting precincts in more than one parish then the notices required
22 by this Subsection shall be provided in each parish covered by such contract in
23 accordance with this Subsection.

24 B.(1) No later than 11:59 p.m. on the day before an election, the contractor,
25 under the supervision of the parish custodian or his representative, shall deliver the
26 proper number of voting machines, a seal for sealing each voting machine after
27 termination of voting, and other election equipment, supplies, and paraphernalia to
28 the polling places of each precinct and shall place the machines in the polling place
29 for use in voting. Each machine shall remain sealed until examined by or under the

1 supervision of the commissioner-in-charge immediately before the polls are opened
2 as required by R.S. 18:553.

3 (2) No later than 11:59 p.m. on the day before early voting begins for an
4 election, the contractor, under the supervision of the parish registrar of voters or his
5 representative, shall deliver the proper number of early voting machines and other
6 election equipment, supplies, and paraphernalia to the early voting locations and
7 shall place the machines in the early voting location for use in early voting. Each
8 early voting machine shall remain sealed until examined by or under the supervision
9 of the registrar or his deputy immediately before the early voting locations are
10 opened.

11 Section 3. R.S. 18:1532 is hereby repealed in its entirety.

12 Section 4.(A) Section 1, Section 3, and this Section of this Act shall become
13 effective upon signature of this Act by the governor or, if not signed by the governor, upon
14 expiration of the time for bills to become law without signature by the governor, as provided
15 by Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the
16 governor and subsequently approved by the legislature, Section 1, Section 3, and this Section
17 of this Act shall become effective on the day following such approval.

18 (B) Section 2 of this Act shall become effective on August 1, 2022.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____