

RÉSUMÉ DIGEST

ACT 528 (HB 1082)

2022 Regular Session

Gaines

Existing law authorizes the secretary of state to authorize the relocation of a polling place that is destroyed, inaccessible, or unsafe due to an emergency or common disaster. If a polling place is relocated under these conditions, existing law requires that each voter registered to vote at that polling place and each candidate to be voted on at that polling place be notified of the change. Specifies methods for providing such notice.

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

Existing law provides that if the secretary of state determines that a gubernatorially declared 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.

Existing 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. 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.

Existing 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.

New law provides that if the secretary of state determines that an emergency declared within 45 days prior to an election impairs an election that may otherwise be held except for problems with respect to the relocation or consolidation of polling places within the parish, potential shortages of commissioners, or shortages of voting machines, the secretary of state shall submit notice of such problems and proposed solutions to both the House and Senate committees on governmental affairs as well as the governor's office. Following such notice, 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.

Existing law regarding approval of a plan by the governor and the legislature is not applicable to new law.

New 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 new law.

Effective October 1, 2022.

(Amends R.S. 18:401.2(B)(intro. para.); Adds R.S. 18:401.2(B)(5) and 401.4)