
DIGEST

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HB 519 Original

2023 Regular Session

Carpenter

Abstract: Provides that a sheriff or his representative may deliver via hand delivery or facsimile the applications for absentee voting and completed absentee ballots of incarcerated voters in the custody and care of the sheriff who are otherwise eligible to vote absentee by mail.

Present law (R.S. 18:1303(G)) authorizes a person incarcerated in an institution inside or outside the parish in which he is qualified to vote, who is not under an order of imprisonment for conviction of a felony, to vote absentee by mail, only, upon certification to the appropriate registrar by the sheriff of the parish where the person is incarcerated that he is not a convicted felon.

Proposed law retains present law.

Present law (R.S. 18:115) requires a registered voter who has registered by mail and has not previously voted in the parish in which he is registered to vote in person either at a location where early voting is conducted in the parish in which he is registered to vote or at the precinct in which he is registered to vote.

Proposed law retains present law with the exception that an incarcerated voter who is otherwise authorized by present law to vote absentee by mail is not required to vote in person.

Present law (R.S. 18:1307) provides that an application to vote by mail may be delivered to the registrar by any means, including the United States Postal Service, commercial delivery service, hand delivery, or facsimile.

Proposed law retains present law.

Present law (R.S. 18:1307) provides that a person sending the application by facsimile shall sign the application to indicate that he is the sender and shall include the facsimile number from where the facsimile was sent. Further requires a person hand delivering an application to sign the application. Present law prohibits any person, except the immediate family of any voter from sending by facsimile or hand delivering more than one voter's application to vote by mail to the registrar of voters.

Proposed law retains present law with the exception that a sheriff or a representative of the sheriff's office may deliver via fax or hand delivery the completed application to vote by mail for any registered voter under the control and custody of the sheriff's office who is applying to vote absentee by mail. The sheriff or his representative shall not be required to sign the application and may

deliver more than one voter's application to vote by mail to the registrar of voters.

Present law (R.S. 18:1307) prohibits a candidate or agent of a party or campaign in the election to fax an application to vote by mail from a fax machine that he owns, operates, or controls, unless the application is for the candidate.

Proposed law retains present law, but provides an exception for an application faxed by the sheriff or a representative of the sheriff's office if the application is for a voter under the control and custody of a sheriff's office.

Present law (R.S. 18:1308) prohibits any person except the immediate family of the voter from hand delivering more than one marked ballot per election to the registrar.

Proposed law retains present law except to provide that a sheriff or a representative of the sheriff's office may deliver more than one marked ballot of registered voters under the control and custody of the sheriff's office who are seeking to vote absentee by mail.

(Amends R.S. 18:1307(B)(1)(b) and 1308(B)(1); Adds R.S. 18:115(F)(2)(f) and 1307(B)(1)(a)(iv))