

2023 Regular Session

HOUSE BILL NO. 490

BY REPRESENTATIVES LYONS, BOYD, BRASS, BRYANT, COX, FISHER, GAINES, GLOVER, GREEN, HUGHES, JEFFERSON, JENKINS, KNOX, LAFLEUR, LARVADAIN, DUSTIN MILLER, MOORE, NEWELL, SELDERS, AND WILLARD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

VOTING/REGISTRATION: Provides for procedures and guidance regarding voter registration activities

1 AN ACT

2 To amend and reenact R.S. 17:2121 and R.S. 18:18(A)(9), relative to voter registration
3 opportunities in high schools; to prohibit certain requirements; to provide relative to
4 authorized involvement in those opportunities; to provide for policies and guidance
5 relative thereto; to provide for the duties of the secretary of state relative thereto; to
6 require conformity with the Louisiana Election Code; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:2121 is hereby amended and reenacted to read as follows:

10 §2121. Voter registration; high schools

11 A. Each public school governing authority shall provide an opportunity for
12 each high school senior who is at least seventeen years old to register to vote by
13 using a school computer to fill out an electronic voter registration application or by
14 using the state mail voter registration application form. Parental consent shall not
15 be required for any high school senior who is a least seventeen years old to
16 participate in this opportunity to register to vote; however, the school governing
17 authority shall provide notification to parents of such opportunity to register to vote
18 each time the opportunity is offered.

1 B.(1) No public school governing authority shall allow the involvement of
2 any political or partisan group or organization in the registration process.

3 (2) Each individual or entity assisting in providing the voter registration
4 opportunity shall register with the secretary of state in the manner provided in R.S.
5 18:18(A)(9) and shall submit a copy of such registration to each school where
6 assistance is given at least five days prior to assisting with the voter registration
7 opportunity. Each school where assistance is given shall maintain the copy of the
8 registration as a public record.

9 C. Each public school governing authority shall adopt policies for the
10 implementation of this Section and shall review the policies, at minimum, every five
11 years for the purpose of considering any needed revisions or updates. A public
12 school governing authority shall ensure that any policy it adopts for the
13 implementation of this Section conforms with the Louisiana Election Code.

14 D. Each public school governing authority may follow guidance provided
15 by the secretary of state in implementing the provisions of this Section. The
16 secretary of state shall ensure that any guidance he provides conforms with the
17 Louisiana Election Code.

18 Section 2. R.S.18:18(A)(9) is hereby amended and reenacted to read as follows:

19 §18. Secretary of state; powers and duties

20 A. The secretary of state shall administer the laws relating to custody of
21 voting machines and voter registration, and for this purpose he shall:

22 * * *

23 (9)(a) Provide for the voluntary registration of individuals or entities that
24 conduct voter registration drives in the state of Louisiana.

25 (b) Develop guidance for public school governing authorities providing
26 opportunities for high school seniors to register to vote as required by R.S. 17:2121.
27 In developing the guidance required by this Subparagraph, the secretary shall
28 conform with this Title and shall not state or imply that parental consent is required,
29 nor shall the secretary state or imply that any person or organization is prohibited

1 from involvement in assisting public school governing authorities in providing the
 2 required opportunity to register to vote, unless the person or organization or type of
 3 person or organization is expressly prohibited by law from involvement or from
 4 being on or near a school campus.

5 * * *

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)]

HB 490 Reengrossed 2023 Regular Session Lyons

Abstract: Prohibits requiring parental consent for high school seniors of at least 17 years of age to participate in the opportunity to register to vote offered at school, requires related policies and guidance to conform with the La. Election Code, and provides for those who may or may not assist in the opportunity.

Present law requires public school governing authorities to provide high school seniors who are at least 17 the opportunity to register to vote by using a school computer to fill out an electronic voter registration application or by using the state mail voter registration application form. Proposed law specifies that parental consent shall not be required, but requires the school governing authority to provide notification to parents each time the opportunity is offered.

With respect to this required opportunity:

- (1) Present law prohibits the involvement of any political or partisan group or organization in the registration process. Proposed law retains present law. Proposed law further requires an individual or entity assisting in providing the opportunity to register with the secretary of state as provided in present law (R.S. 18:18(9)) and to submit a copy to the school and requires the school to maintain a copy as a public record.
- (2) Present law requires each public school governing authority to adopt policies therefor and to review them at least every five years. Proposed law requires the public school governing authority to ensure the policy conforms to the La. Election Code.
- (3) Present law authorizes each public school governing authority to follow the secretary of state's guidance in implementation. Proposed law requires the secretary of state to ensure that his guidance conforms to the La. Election Code.

Present law (R.S. 18:18) provides that the secretary of state shall administer the laws relating to custody of voting machines and voter registration, and for this purpose he shall specifically perform many functions and duties including providing for the voluntary registration of individuals or entities that conduct voter registration drives.

Proposed law further requires the secretary of state to develop guidance for public school governing authorities providing opportunities for high school seniors to register to vote as

required by present law (R.S. 17:2121). Specifies that in developing the guidance, the secretary shall conform to the election code and shall not state or imply that parental consent is required or that any person or organization is prohibited from assisting public school governing authorities in providing the opportunity to register to vote, unless the person or organization or type of person or organization is expressly prohibited by law from assisting or from being on or near a school campus.

(Amends R.S. 17:2121 and R.S. 18:18(A)(9))

Summary of Amendments Adopted by House

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

1. Repeal present law prohibiting the involvement of political or partisan groups in the registration process.

The House Floor Amendments to the engrossed bill:

1. Require school governing authorities to notify parents each time the opportunity to register is offered.
2. Restore prohibition on involvement of political or partisan groups in the registration process.
3. Remove proposed prohibition on a candidate for elected public office from involvement in the registration process.
4. Remove explicit authorization for a public school governing authority to allow any nonpartisan group or organization to assist in providing the opportunity to register to vote to high school seniors.
5. Require those providing assistance to register with the secretary of state and to submit a copy of the registration to the school and require the school to maintain it as a public record.