

2023 Regular Session

HOUSE BILL NO. 496

BY REPRESENTATIVE STEFANSKI

1 AN ACT

2 To amend and reenact R.S. 18:103(B)(4) and (C)(4), 104(F), 109, 115.1(C)(1), 154(B)(1)
3 and (2), (C)(2)(d), (D), (F), (G), and (H), 175(D), 192(A)(1)(b) and (2), 193(B)
4 through (E), 195(A) and (B)(1), 196(A)(1), (B), (C)(2)(a) and (3), and (D), 198,
5 402(C), (E)(1)(c) and (2)(c), and (F)(3), 444(H)(2), 467(3), 562(B)(2), 565(B) and
6 (C), 566(B)(introductory paragraph) and (1) and (D)(introductory paragraph) and (1),
7 566.2(F)(2), (4) through (6) and (G), 571(A)(8), 573(E)(1), (2), and (4), 574(F),
8 581(3), 1280.22(B)(1), 1300.3(E), 1306(E)(1)(introductory paragraph) and (d) and
9 (2)(a), 1308(A)(1)(b) through (d) and (2), 1308.1(A), 1309(E)(5)(b)(ii) and (F)(3),
10 1310(A)(1) and (C)(1), 1312(B) and (C), 1313(A), (C)(2), (G)(1), (2), (4) through
11 (6), and (9), (H)(1), (4), (6) through (8), (11), and (12)(b), (I), and (K)(1), (2)(a)(i)
12 and (c), and (3), 1313.1(C)(3), (G)(1)(a), (2), (4) through (7), (H)(1), (3) through (5),
13 and (8), (I)(1) and (4)(b), (J), (L)(1), (2)(a) and (c), and (3), 1315(C)(2) and (3), and
14 1333(E) and (G)(1), (3), and (7), to enact R.S. 18:154(C)(1)(h), 448, 467(5), and
15 1308(D), and to repeal R.S. 18:110(A)(3), 154(I) and (J), 443(F), 443.2(6), 444(F),
16 445(A)(3), and 585, relative to the Louisiana Election Code; to revise the system of
17 laws comprising the Louisiana Election Code; to provide for the duties of the
18 Department of State and secretary of state; to provide for the duties of the registrar
19 of voters; to provide for mailing the notice of registration; to provide for copies of
20 registration applications; to provide for information relative to preparing the general
21 venire; to provide for certifications submitted to the registrar of voters; to provide for
22 disclosure of identifying information of commissioners; to provide for the dates
23 related to the presidential primary; to provide for the filling of vacancies in political
24 party committees; to provide relative to absentee and paper ballots; to provide for the
25 certificate on such ballots; to provide for the timing for preparing and verifying
26 absentee and early voting ballots; to provide for address confirmation notices; to

1 provide for ballot envelopes and containers; to provide for definitions; to provide for
2 an effective date; and to provide for related matters.

3 Be it enacted by the Legislature of Louisiana:

4 Section 1. R.S. 18:103(B)(4) and (C)(4), 104(F), 109, 115.1(C)(1), 154(B)(1) and
5 (2), (C)(2)(d), (D), (F), (G), and (H), 175(D), 192(A)(1)(b) and (2), 193(B) through (E),
6 195(A) and (B)(1), 196(A)(1), (B), (C)(2)(a) and (3), and (D), 198, 402(C), (E)(1)(c) and
7 (2)(c), and (F)(3), 444(H)(2), 467(3), 562(B)(2), 565(B) and (C), 566(B)(introductory
8 paragraph) and (1) and (D)(introductory paragraph) and (1), 566.2(F)(2), (4) through (6) and
9 (G), 571(A)(8), 573(E)(1), (2), and (4), 574(F), 581(3), 1280.22(B)(1), 1300.3(E),
10 1306(E)(1)(introductory paragraph) and (d) and (2)(a), 1308(A)(1)(b) through (d) and (2),
11 1308.1(A), 1309(E)(5)(b)(ii) and (F)(3), 1310(A)(1) and (C)(1), 1312(B) and (C), 1313(A),
12 (C)(2), (G)(1), (2), (4) through (6), and (9), (H)(1), (4), (6) through (8), (11), and (12)(b), (I),
13 and (K)(1), (2)(a)(i) and (c), and (3), 1313.1(C)(3), (G)(1)(a), (2), (4) through (7), (H)(1),
14 (3) through (5), and (8), (I)(1) and (4)(b), (J), (L)(1), (2)(a) and (c), and (3), 1315(C)(2) and
15 (3), and 1333(E) and (G)(1), (3), and (7), are hereby amended and reenacted and R.S.
16 18:154(C)(1)(h), 448, 467(5), and 1308(D) are hereby enacted to read as follows:

17 §103. Personal appearance of applicant required; exceptions

18 * * *

19 B. Any citizen of Louisiana who meets the qualifications set forth in R.S.
20 18:101 and who is a legal resident of this state, whether or not he has a place of
21 abode in this state, but who is unable to appear in person to register because he is in
22 the United States Service, as defined in R.S. 18:1302, may register by mail using the
23 state mail voter registration form in accordance with the following provisions:

24 * * *

25 (4) Upon receipt of the completed document, the registrar shall, if the
26 evidence establishes that the applicant meets the requirements for registration,
27 register the applicant. The Department of State shall ~~and~~ mail the notice of
28 registration required by R.S. 18:109 to the applicant at his United States Service
29 address.

30 * * *

1 C. A person who meets the qualifications set forth in R.S. 18:101(E) who is
 2 unable to appear in person to register because he is residing outside the United States
 3 may register by mail using the state mail voter registration form in accordance with
 4 the following provisions:

5 * * *

6 (4) Upon receipt of the completed document, the registrar shall, if the
 7 evidence establishes that the applicant meets the requirements for registration,
 8 register the applicant. The Department of State shall ~~and~~ mail the notice of
 9 registration required by R.S. 18:109 to the applicant at his address outside the United
 10 States.

11 * * *

12 §104. Application for registration; form

13 * * *

14 F. Upon request, the registrar shall furnish each applicant a copy of his
 15 application form without redaction, and the applicant shall be informed that he may
 16 obtain such copy.

17 * * *

18 §109. Notice of registration and change in registration

19 After receiving from the registrar the information concerning a new registrant
 20 or a change in name, address, or polling place made with respect to the registration
 21 of any person, the Department of State promptly shall deliver a notice to the
 22 appropriate registrar that the person is registered or that his registration has been
 23 changed. The ~~registrar~~ department shall ~~then~~ mail the notice, postage prepaid, to
 24 each new registrant and to each person whose registration was changed. The notice
 25 shall show the parish, ward, precinct, and registration address of the registrant. The
 26 notice shall list an abbreviation of the name of the political party if the registrant is
 27 registered as being affiliated with a recognized political party, "other" if the
 28 registrant is registered as being affiliated with a political party that is not recognized,
 29 or "no party" or an abbreviation thereof if the registrant is registered with no political
 30 party affiliation. However, the ~~registrar~~ department shall not be required to send

1 such a notice to any voter who is on the inactive list of voters unless the change in
 2 registration involves a change in the voter's address. The secretary of state shall
 3 prescribe the form to be used on the notice; however, "Return Service Requested"
 4 shall be printed on the front of the notice, and the return address shall be that of the
 5 appropriate registrar. When a notice is returned by the postmaster, the registrar shall
 6 proceed in accordance with the applicable provisions of Part V of this Chapter.

7 * * *

8 §115.1. Electronic registration

9 * * *

10 C.(1) The electronic voter registration application shall contain spaces for
 11 the information required pursuant to R.S. 18:104, except that the applicant shall
 12 attest that the facts given by him on the application are true to the best of his
 13 knowledge and belief, and such attestation shall take the place of the affidavit
 14 required pursuant to R.S. 18:104(A)(15).

15 * * *

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

17 * * *

18 B.(1)(a) If twenty-five or more qualified voters of a parish make a request
 19 in writing, the registrar shall permit the copying of any part of his records, except the
 20 early voting confirmation sheets.

21 (b) Notwithstanding ~~the provisions of~~ Subparagraph (a) of this Paragraph,
 22 the registrar shall permit copying of the following:

23 (i) the copying of a A list prepared pursuant to R.S. 18:1311(A) upon the
 24 written request of a single person of the age of majority.

25 (ii) Any part of the registrar's records related to the election of a candidate
 26 for an office, except the early voting confirmation sheets, upon the written request
 27 made by a candidate in the election for that office received within the time period
 28 provided for in R.S. 18:1405(B) or (H).

29 (iii) A voter registration application upon the request of the applicant
 30 pursuant to R.S. 18:104.

1 ~~F.(1) Notwithstanding any provision of this Section to the contrary, the~~
 2 ~~registrar shall not disclose the name and physical address of a program participant~~
 3 ~~in the Department of State Address Confidentiality Program, as provided in R.S.~~
 4 ~~44:51 et seq.~~

5 ~~(2) Notwithstanding any provision of this Section to the contrary, the~~
 6 ~~Department of State shall not disclose the name and physical address of a program~~
 7 ~~participant in the Department of State Address Confidentiality Program, as provided~~
 8 ~~in R.S. 44:51 et seq.~~

9 ~~(3) Notwithstanding any provision of this Section to the contrary, the clerk~~
 10 ~~of court shall not disclose the name and physical address of a program participant in~~
 11 ~~the Department of State Address Confidentiality Program, as provided in R.S. 44:51~~
 12 ~~et seq.~~

13 G. Notwithstanding any provision of this Section to the contrary, the
 14 registrar, the clerk of court, and the Department of State shall be prohibited from
 15 disclosing the following:

16 (1) Any information of a type exempted from disclosure pursuant to any
 17 other Subsection of this Section received from another state pursuant to a cooperative
 18 agreement authorized by R.S. 18:18(D).

19 (2) Any geographical coding of addresses of registered voters.

20 (3) An application to vote absentee by mail, or information contained
 21 therein, until the applicant has returned his voted ballot to the registrar.

22 (4) Computer system or program information, including software, related
 23 menus, flow charts, network diagrams, usernames, nonpublic uniform resource
 24 locators, database object names, computer names, device identifiers and serial
 25 numbers, screen printouts and captures, internet protocol address numbers,
 26 passwords, source materials, prompts, dialogues, operating and instructional
 27 manuals, programming materials or instructions, and any other computer operating
 28 or support materials concerning the state voter registration computer system and
 29 election management system or voting equipment.

1 §175. Voting list from Department of State

2 * * *

3 D.(1) The secretary of state ~~and the appropriate registrar of voters~~ shall
4 provide, without charge or remuneration, to a clerk of court at the clerk's request a
5 complete and accurate annual list ~~or computer tape~~ from the Department of State
6 containing the official list of registered voters in the parish of the clerk for the
7 preparation of a general venire selection.

8 (2) The ~~registrar of voters~~ secretary of state shall also provide to the clerk of
9 court, without charge or remuneration, at the clerk's request, monthly updates to the
10 official list of registered voters in the parish for use in maintaining the general
11 venire.

12 * * *

13 §192. Annual canvass; costs

14 A.(1)

15 * * *

16 (b) In conducting the verification, if the United States Postal Service or its
17 licensee provides a corrected address, the Department of State shall furnish the
18 corrected address to the appropriate registrar of voters. Upon receiving a corrected
19 address inside the parish, the Department of State may make the change on the
20 statewide registration system and the registrar of voters may make the change on his
21 records. If a change is made, the registrar shall mail a new voter identification card
22 to the voter using the corrected address provided and an address confirmation ~~card~~
23 notice as provided in R.S. 18:193. In the event the new voter identification card
24 using the corrected address is returned to the registrar and the voter has failed to
25 return the address confirmation ~~card~~ notice, the registrar shall consider the address
26 not corrected. ~~His records should be changed~~ The registrar shall change his records
27 to reflect the prior address on file for that voter. If the corrected address is outside
28 the parish, the registrar of voters shall not make the change on his records and shall
29 send an address confirmation ~~card~~ notice as provided in R.S. 18:193.

1 (2) For a registrant whose address was not verified or whose corrected
2 address is outside the parish, the registrar shall send an address confirmation ~~card~~
3 notice as set forth in R.S. 18:193.

4 * * *

5 §193. Challenge and cancellation of registration; notice; procedures

6 * * *

7 B. For the purposes of this Section, "address confirmation ~~card~~ notice" shall
8 mean a postage prepaid and pre-addressed return ~~card~~ notice, sent by forwardable
9 mail. The Department of State shall be responsible for developing the address
10 confirmation ~~card~~ notice and for informing the registrant about his voting rights
11 under the address confirmation process and the address confirmation ~~card~~ notice
12 shall be submitted by the Department of State to the House and Governmental
13 Affairs Committee of the House of Representatives and the Senate and
14 Governmental Affairs Committee of the Senate for review.

15 C. If the registrant responds to the address confirmation ~~card~~ notice and has
16 not moved or has moved within the parish, the registrar shall remove the person's
17 name from the inactive list of voters if it is on the inactive list and correct the voter's
18 address if necessary.

19 D.(1) If the voter responds to the address confirmation ~~card~~ notice and has
20 permanently moved to a different parish, the registrar shall transfer the voter's
21 registration information to the new parish of residence.

22 (2) If the voter responds to the address confirmation ~~card~~ notice and has
23 permanently moved outside the state, the registrar shall cancel the voter's
24 registration.

25 E. A voter on the inactive list of voters who fails to respond to the address
26 confirmation ~~card~~ notice shall remain on the inactive list of voters until his address
27 is confirmed in accordance with the procedures set forth in R.S. 18:196 or not later
28 than a period of two regularly scheduled federal general elections, at which time the
29 registrar shall cancel the voter's registration.

30 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 precinct by completing an address confirmation ~~card~~ notice affirming the new
2 address within the precinct.

3 (3) If the registrant has moved to an address within the parish in a different
4 precinct, at the polling place of such registrant's last address on file at the office of
5 the registrar of voters for that election only upon affirming in writing that such
6 registrant still resides in the parish by completing an address confirmation ~~card~~
7 notice affirming the new address within the parish.

8 (4) If the registrant has moved to an address outside the parish, at the polling
9 place of such registrant's last address on file at the office of the registrar of voters for
10 that election only upon affirming in writing that such registrant has moved within the
11 last three months and no longer resides in the parish by completing an address
12 confirmation ~~card~~ notice affirming the new address outside the parish and that the
13 length of time since the move has not exceeded three months. If such registrant does
14 not affirm that he has moved within the last three months, he shall not be permitted
15 to vote.

16 C.

17 * * *

18 (2)(a) If a registrant whose name is on the inactive list of voters votes
19 absentee by mail or during early voting, the registrar shall transfer the registrant's
20 name to the official list of voters and make any necessary corrections in the
21 registrant's registration records if the information on the address confirmation ~~card~~
22 notice, as required by R.S. 18:1309, or the residence address provided in an
23 application to vote by mail so indicates.

24 * * *

25 (3) If a registrant whose name appears on the inactive list of voters has
26 returned an address confirmation ~~card~~ notice or other signed notice confirming an
27 address change to the registrar of voters that was received after the close of books
28 prior to a primary election and before the close of books for the general election, the
29 registrar shall transfer the registrant's name to the official list of voters prior to the

1 general election and make any necessary corrections in the registrant's registration
2 records.

3 D. If a registrant who has failed to respond to an address confirmation ~~card~~
4 notice and whose name appears on the inactive list of voters does not vote in any
5 election from the date he is placed on the inactive list of voters until the day after the
6 second regularly scheduled general election for federal office held after such date,
7 the registrar shall cancel the registration of the registrant.

8 * * *

9 §198. Change of residence or change in address; inquiry by registrar; change of
10 records

11 A. Whenever a registrar has reason to believe that a registrant has changed
12 his residence within the parish or that a change has occurred in the registrant's
13 mailing address within the parish, the registrar shall mail the address confirmation
14 ~~card~~ notice as provided in R.S. 18:193(B) to the registrant, but shall not place the
15 voter on the inactive list of voters.

16 B. The ~~card~~ notice shall inform the voter that he must notify the registrar of
17 his current address.

18 C. The registrar shall send such ~~card~~ notice to the registrant's address shown
19 on the registration records and to the address the registrar believes to be the
20 registrant's new address. Upon return of the ~~card~~ notice, signed by the registrant, the
21 registrar shall enter any change in the registrant's information on the state voter
22 registration computer system and, if the original application is available in hard copy
23 in the registrar's office, on the original application for registration.

24 D. If the registrant fails to return the ~~card~~ notice within thirty days after the
25 date on which the ~~card~~ notice was mailed, the registrar shall place the registrant on
26 the inactive list of voters. The registrant shall remain on the inactive list of voters
27 in accordance with the procedures set forth in R.S. 18:196 or not later than a period
28 of two regularly scheduled federal general elections, at which time the registrar shall
29 cancel the registration of the registrant.

30 * * *

1 §402. Dates of primary and general elections

2 * * *

3 C. Municipal and ward elections. In all municipalities with a population of
4 less than three hundred thousand, elections for municipal and ward officers who are
5 not elected at the same time as the governor or members of congress shall be held
6 every four years.

7 (1) Primary elections for municipal and ward officers who are not elected at
8 the same time as the governor or members of congress shall be held on the last
9 Saturday in March of an election year, ~~or on the first Saturday in March of the~~
10 ~~presidential election year.~~

11 (2) General elections for municipal and ward officers who are not elected at
12 the same time as the governor or members of congress shall be held on the fifth
13 Saturday after the last Saturday in March of an election year ~~unless the primary~~
14 ~~election for such officers is held on the first Saturday in March; in such case, the~~
15 ~~general election shall be held on the fifth Saturday after the first Saturday in March~~
16 ~~of an election year.~~

17 * * *

18 E. Special elections to fill newly created office or vacancy in office. An
19 election to fill a newly created office or vacancy in an existing office, except the
20 office of representative in congress, shall be held on the dates fixed by the
21 appropriate authority in the proclamation ordering a special election as follows:

22 (1) A special primary election shall be held on the first of the following days
23 that is after the date on which the proclamation calling the special primary election
24 was issued, provided that the proclamation was issued at least four weeks prior to the
25 opening of the qualifying period for the special primary election:

26 * * *

27 (c) The last Saturday in March, when the special general election is held on
28 the fifth Saturday after the last Saturday in March ~~or on the first Saturday in March~~
29 ~~during the presidential election year.~~

30 * * *

1 (2) A special general election shall be held on one of the following days:

2 * * *

3 (c) The fifth Saturday after the last Saturday in March of any year ~~unless the~~
4 ~~primary election is held on the first Saturday in March, in such case, the general~~
5 ~~election shall be held on the fifth Saturday after the first Saturday in March.~~

6 * * *

7 F. Bond, tax, or other elections. Every bond, tax, or other election at which
8 a proposition or question is to be submitted to the voters shall be held only on one
9 of the following dates:

10 * * *

11 (3) The last Saturday in March or the fifth Saturday after the last Saturday
12 in March of any year ~~or on the first Saturday in March or the fifth Saturday after the~~
13 ~~first Saturday in March during the presidential election year.~~

14 * * *

15 §444. Parish executive committees

16 * * *

17 H. Removal.

18 * * *

19 (2) When a member of a parish executive committee commits any of the
20 grounds for removal set forth in this Subsection, the parish executive committee shall
21 schedule a hearing to review all available information on the incident. The parish
22 executive committee shall provide a ten-day written notice to the member prior to
23 conducting said hearing. Removal of the member, after completion of the hearing
24 by the committee, shall be by a two-thirds vote of a majority of the members of the
25 parish executive committee at a ~~regularly~~ regularly scheduled meeting. A vacancy in the
26 membership of the parish executive committee created by the removal shall be filled
27 by appointment ~~by the parish executive committee at its~~ as provided in R.S. 18:448
28 at the parish executive committee's next regularly scheduled meeting.

29 * * *

1 §448. Vacancies in the state central committee or parish executive committee of a
2 recognized political party

3 A. A vacancy in the membership of the state central committee shall be filled
4 as follows:

5 (1) For membership elected pursuant to R.S. 18:443, the chairman of the
6 state central committee shall appoint a member.

7 (2) For membership elected pursuant to R.S. 18:443.2, the state central
8 committee shall appoint a member.

9 B. A vacancy in the membership of a parish executive committee of a
10 recognized political party shall be filled as follows:

11 (1) For a vacancy in an at-large position, the parish executive committee
12 shall appoint a qualified resident of the parish. If there are not enough members of
13 the parish executive committee to fill the vacancy, the chairman of the state central
14 committee of that political party may appoint a qualified resident of the parish to fill
15 the vacancy.

16 (2)(a) For a vacancy left by a representative of a district, the parish executive
17 committee shall appoint a qualified resident of the district. If no qualified resident
18 of the district will accept the membership, the committee may appoint any qualified
19 resident of the parish.

20 (b) If there are not enough members of the parish executive committee to fill
21 the vacancy, the chairman of the state central committee of that political party may
22 appoint a qualified resident of the district to fill the vacancy. If no qualified resident
23 of the district will accept the membership, the chairman of the state central
24 committee of that political party may appoint any qualified resident of the parish to
25 fill the vacancy.

26 C. The state central committee or parish executive committee shall notify the
27 secretary of state any time a vacancy is filled on the respective committee. The
28 notice shall include the name of the appointed member, the address of his domicile,
29 and the effective date of his appointment.

1 D. The provisions of Subpart E of Part VI of this Chapter do not apply to the
 2 filling of vacancies pursuant to this Part. However, for the purposes of this Part,
 3 vacancy has the same meaning as provided in R.S.18:581.

4 * * *

5 §467. Opening of qualifying period

6 The qualifying period for candidates in a primary election shall open:

7 * * *

8 (3) For candidates in a primary election for municipal and ward officers who
 9 are not elected at the same time as the governor or members of congress in
 10 municipalities with a population of less than three hundred thousand and those in any
 11 special primary election to be held at the same time, on the last Wednesday in
 12 January of the year of the election, unless the primary election is held ~~on the first~~
 13 ~~Saturday in March~~ in a presidential election year; in such case the qualifying period
 14 for candidates in such primary election shall open on the ~~first~~ third Wednesday in
 15 December of the year prior to the election.

16 * * *

17 (5) For candidates in a presidential primary election, the qualifying period
 18 shall open on the third Wednesday in December.

19 * * *

20 §562. Prerequisites to voting

21 * * *

22 B. Review of precinct register. The commissioners shall then determine:

23 * * *

24 (2) If the applicant's name is found in the precinct register on the inactive list
 25 of voters and he has not voted absentee by mail or during early voting, the applicant
 26 may vote after complying with provisions of R.S. 18:196(B). After such compliance,
 27 one of the commissioners shall announce the applicant's name again and shall
 28 preserve the address confirmation ~~card~~ notice received from the voter by placing the

1 address confirmation ~~card~~ notice in the envelope marked "Registrar of Voters" and
2 attaching the envelope to the precinct register.

3 * * *

4 §565. Challenge of voters

5 * * *

6 B. Disposition of record of challenge and address confirmation ~~card~~ notice.
7 The original record of the challenge, signed by the challenger, and the address
8 confirmation ~~card~~ notice shall be placed in the envelope marked "Registrar of
9 Voters". A duplicate record of the challenge shall be placed in the clear plastic
10 zipper bag and returned to the clerk of court on election night. A duplicate record
11 of the challenge shall be given to the voter being challenged.

12 C. Disposition of the challenge. The commissioners present shall determine
13 the validity of the challenge. If they determine by majority vote that the challenge
14 is valid, the applicant shall not be permitted to vote. However, if the valid challenge
15 has determined that the applicant has moved within the parish or has moved outside
16 the parish within the last three months, the voter shall be allowed to vote upon
17 completing an address confirmation ~~card~~ notice. If a majority of the commissioners
18 determine that the challenge is invalid, the applicant shall be permitted to vote.

19 §566. Provisional voting for federal office; polling place and early voting

20 * * *

21 B. ~~Procedure~~ The procedure for provisional voting for federal office at a
22 polling place shall be as follows:

23 (1) The applicant shall first fill in the blanks on the provisional ballot
24 envelope ~~flap~~ and sign the included certificate ~~on the envelope flap~~ in the presence
25 of a commissioner attesting that he is a registered voter in the parish and is eligible
26 to vote in the election for federal office. The applicant shall then sign the precinct
27 register on the page marked "Provisional Voters". The commissioner shall record
28 the provisional ballot number on the ~~provisional ballot envelope~~ certificate and then
29 shall provide the applicant the provisional ballot envelope and the provisional ballot
30 listing the federal offices. The applicant shall then mark the provisional ballot

1 according to the printed instructions on its face, place the ballot in the provisional
 2 ballot envelope, seal the envelope, and return the provisional ballot envelope to the
 3 commissioner. The applicant shall be allowed to mark the provisional ballot in an
 4 area and in a manner that protects the secrecy of his vote. The commissioner shall
 5 place the provisional ballot envelope inside the envelope marked "Provisional
 6 Ballot". The "Provisional Ballot" envelope shall be returned to the registrar of
 7 voters, in care of the clerk of court, on election night.

8 * * *

9 D. ~~Procedure~~ The procedure for provisional voting for federal office during
 10 the period of early voting shall be as follows:

11 (1) The applicant shall first fill in the blanks on the provisional ballot
 12 envelope ~~flap~~ and sign the included certificate ~~on the envelope flap~~ in the presence
 13 of the registrar or deputy registrar attesting that he is a registered voter in the parish
 14 and is eligible to vote in the election for federal office. The applicant shall then sign
 15 the precinct register on the page marked "Provisional Voters". If the applicant is
 16 voting at a branch office of the registrar, the applicant shall be required to sign and
 17 date a register for early voting provisional voters kept by the registrar prior to voting
 18 by provisional ballot. The registrar or deputy registrar shall record the provisional
 19 ballot number on the ~~provisional ballot envelope flap~~ certificate and then shall
 20 provide the applicant the provisional ballot envelope and the provisional ballot
 21 listing the federal offices. The applicant shall then mark the provisional ballot
 22 according to the printed instructions on its face, place the ballot in the provisional
 23 ballot envelope, seal the envelope, and return the provisional ballot envelope to the
 24 registrar or deputy registrar. The applicant shall be allowed to mark the provisional
 25 ballot in an area and in a manner that protects the secrecy of his vote. The registrar
 26 or deputy registrar shall place the provisional ballot envelope inside the envelope
 27 marked "Early Voting Provisional Ballot".

28 * * *

29 §566.2. Tabulation and counting of provisional ballots for federal office

30 * * *

1 F. The procedure for counting provisional ballots shall be as follows:

2 * * *

3 (2) The board shall announce the name of each provisional voter and shall
4 compare the name on ~~the flap~~ of the provisional ballot envelope with the name on
5 the list of provisional voters.

6 * * *

7 (4) If the board has determined that a provisional ballot shall be counted, a
8 member of the board shall write the provisional ballot number and the word
9 "counted" adjacent to the provisional voter's name on the list of provisional voters.
10 A member of the board shall ~~tear the flap from the envelope containing~~ remove the
11 certificate from the provisional ballot, attach the provisional voter's registration
12 documentation to the ~~envelope flap~~ certificate, and leave the ballot envelope sealed.

13 (5) If the board has determined that a provisional ballot shall not be counted,
14 the members of the board shall ~~leave the flap on the envelope containing~~ not remove
15 the certificate from the provisional ballot, leave the ballot envelope sealed, and shall
16 write the word "rejected", together with the reason for rejecting the provisional ballot
17 across the envelope containing the ballot. A member of the board shall write the
18 provisional ballot number and the word "rejected" adjacent to the provisional voter's
19 name, together with the reason for rejecting the provisional ballot, on the list of
20 provisional voters. The rejected provisional ballots shall be placed in the special
21 provisional ballot envelope. No rejected provisional ballot shall be counted.

22 (6) After the validity of all provisional ballots has been determined, the
23 members of the board shall place the original signed list of provisional voters, the
24 ~~flaps~~ certificates removed from the valid provisional ballots, and the attached
25 registration documentation in the envelope provided for that purpose and seal the
26 provided envelope. Two of the members of the board shall execute the certificate
27 on the provided envelope and transmit the envelope to the registrar of voters.

28 * * *

29 G. When the ~~flaps~~ certificates of the provisional ballots that were counted
30 and the attached registration documentation have been returned to the registrar of

1 voters, the registrar shall add the name of each provisional voter whose ballot was
2 counted to the list of those who have voted.

3 * * *

4 §571. Procedures for commissioners after termination of voting

5 A. At the termination of voting in a primary or general election, the
6 commissioners shall announce that voting is terminated. The commissioners in the
7 presence of the watchers shall immediately:

8 * * *

9 (8) Place one copy of the official election results reports, one copy of the
10 machine certificates, one of the duplicate poll lists, all original executed challenges
11 of voters, all precinct register corrections, all voter identification affidavits, all
12 physical disability affidavits, any physicians' certificates, any copies of disability
13 documentation, a copy of each completed notation of irregularities form, and any
14 address confirmation ~~cards~~ notices in the envelope marked "Registrar of Voters",
15 seal it and attach it to the precinct register after the termination of voting, and place
16 a new protective seal on the precinct register.

17 * * *

18 §573. Evidence of election results

19 * * *

20 E. Transmission and disposition of original challenges, duplicate voters'
21 affidavits, and address confirmation ~~cards~~ notices. (1) At the opening of the voting
22 machines, the sealed precinct registers shall be immediately returned to the registrar
23 of voters. Upon receipt of the sealed precinct registers, the registrar shall remove
24 any attached original record of challenges of voters made during the election, any
25 precinct register correction affidavits, any voter identification affidavits made
26 pursuant to R.S. 18:562, any address confirmation ~~cards~~ notices, any physical
27 disability affidavits, any certificates, any copies of disability documentation, and any
28 completed voter registration applications.

29 (2) The registrar shall utilize the procedures set forth in Part V of Chapter
30 4 of this Code to determine the validity of the registration of each challenged voter

1 who did not submit an address confirmation ~~card~~ notice. In any instance where an
 2 address confirmation ~~card~~ notice was received that stated an address different from
 3 the address on file in the registrar's office for a registrant, the registrar shall change
 4 the registrant's address to the address on the address confirmation ~~card~~ notice if the
 5 change of address is in the parish; transfer the registrant's registration to another
 6 parish if the address on the address confirmation ~~card~~ notice is in another parish; or
 7 cancel the registration if the address on the address confirmation ~~card~~ notice is in
 8 another state. If an address confirmation ~~card~~ notice was received that affirmed the
 9 address on file in the registrar's office, the registrar shall reinstate the registrant to
 10 the official list of voters if he appears on the inactive list of voters. If the address
 11 confirmation ~~card~~ notice was a result of a valid challenge, the registrar shall so
 12 inform the district attorney and shall transmit to him the address confirmation ~~card~~
 13 notice of that person.

14 * * *

15 (4) The registrar shall scan the address confirmation ~~card~~ notice, voter
 16 identification affidavit, disability documentation, or voter registration application
 17 and add it to the voter's record in the state voter registration computer system after
 18 processing.

19 §574. Compilation and promulgation of returns

20 * * *

21 F. Computation of all time intervals in this Section and Chapter 7 of this
 22 Title shall include Saturdays, Sundays, and other legal holidays. However, if the
 23 final day in a time interval falls on a Saturday, Sunday, or other legal holiday, then
 24 the next day which is not a Saturday, Sunday, or legal holiday shall be deemed to be
 25 the final day of the time interval. If one or more of the duties in this Section or
 26 Chapter 7 of this Title required to be performed on the fifth, sixth, seventh, or
 27 fourteenth day after an election are delayed because of a Saturday, Sunday, or other
 28 legal holiday, the duties which follow will be delayed a like amount of time.

29 * * *

1 §581. Definitions

2 As used in this Title:

3 * * *

4 (3) "Vacancy" occurs in an elective office when the office is or will be
5 unoccupied by for any of the following reasons:

6 (a) ~~reason of the death~~ Death of the official who was elected to the office; ~~or,~~

7 (b) ~~by reason of his retirement~~ Retirement or resignation of the official who
8 was elected to the office.;

9 (c) Removal ~~removal~~ from office by any means;.

10 (d) Failure ~~failure~~ to take office for any reason; or when it becomes certain
11 that the person elected to the office will not take the office on the day when the term
12 for which he was elected commences; ~~or,~~

13 (e) The ~~when the~~ person elected to or holding the office no longer meets the
14 residence or domicile requirements of that office, any declaration of retention of
15 domicile to the contrary notwithstanding; ~~or,~~

16 (f) An ~~when an~~ office is created due to a reclassification of a municipality.

17 (g) Failure of any candidate to qualify for the election to the office or the
18 failure of a sufficient number of candidates to qualify for the number of positions to
19 be filled in the office.

20 * * *

21 §1280.22. Candidates; procedure for qualifying

22 * * *

23 B.(1) The qualifying period for presidential candidates shall open ~~on the~~
24 ~~third Wednesday in December and shall close at 4:30 p.m. on the following Friday~~
25 and close as provided in Chapter 5 of this Title. During the qualifying period,
26 presidential candidates shall file notices of candidacy with the secretary of state.

27 * * *

28 §1300.3. Certification of registrar of voters; addition or withdrawal of signatures;
29 form of names

30 * * *

1 E. The registrar of voters shall comply with the provisions of R.S. ~~18:3(C)~~
2 18:3 when determining the number of qualified electors of the voting area who
3 signed the petition.

4 * * *

5 §1306. Preparation and distribution of absentee by mail and early voting ballots

6 * * *

7 E.(1) ~~An absentee by mail ballot envelope also shall have a perforated~~
8 ~~extension or flap below the sealing line, which shall bear a certificate prescribed by~~
9 ~~the secretary of state and approved by the attorney general.~~ The secretary of state
10 shall prepare an absentee by mail certificate, the content of which is subject to
11 approval of the attorney general. The certificate shall include but not necessarily be
12 limited to:

13 * * *

14 (d) Authorization to the parish board of election supervisors to open the
15 ballot envelope and count his ballot.

16 * * *

17 (2)(a) ~~An absentee by mail ballot envelope flap~~ The certificate shall also
18 contain a line for the handwritten signature of one witness and a line for the printed
19 name of the witness. The voter shall sign the certificate in the presence of one
20 witness and his certificate shall be made under penalty of perjury for providing false
21 or fraudulent information. The voter shall include the completed certificate when
22 mailing the ballot. ~~Above the perforation and along the seal line, the words "DO~~
23 ~~NOT DETACH FLAP" shall be printed.~~ No person except the immediate family
24 member of the voter, as defined in this Code, shall witness more than one certificate
25 of a voter.

26 * * *

27 §1308. Absentee voting by mail

28 A.(1)

29 * * *

1 (b) If the voter feels he will not have time to vote timely by mail, the voter
 2 may request that the registrar transmit to him by facsimile a ballot, or a second
 3 ballot, as the case may be, along with a certificate and waiver of the right to a secret
 4 ballot as provided in Subsection D of this Section, and the registrar shall do so if he
 5 has a facsimile machine in his office. However, the registrar shall not be required
 6 to send a second ballot by facsimile if the voter received a ballot by mail. ~~The~~
 7 ~~waiver of the right to a secret ballot shall contain the following statement: "My~~
 8 ~~ballot was transmitted by facsimile to me, and I am voluntarily waiving my right to~~
 9 ~~a secret ballot." The waiver shall also contain spaces for the voter's handwritten~~
 10 ~~signature, the date, and the last four digits of the voter's social security number. The~~
 11 ~~voter may then mail his voted ballot and completed certificate and waiver back to the~~
 12 ~~registrar or transmit the documents by facsimile at the facsimile machine number~~
 13 ~~designated by the registrar. Upon receipt, the registrar shall place the voted ballot~~
 14 ~~along with the completed certificate and waiver in an appropriately marked envelope~~
 15 ~~and seal it. The registrar and his staff shall take the steps necessary to keep the voted~~
 16 ~~ballots as confidential as practicable.~~

17 (c)(i) A voter who is eligible to vote absentee by mail pursuant to R.S.
 18 18:1303(D)(1) and who feels he will not have time to vote timely by mail may
 19 request that the registrar transmit electronically to him a ballot along with a
 20 certificate and waiver of the right to a secret ballot as provided in Subsection D of
 21 this Section, and the registrar shall do so. Alternatively, an immediate family
 22 member of the voter may pick up the necessary instructions, certificate, ballot, and
 23 envelope at the registrar's office.

24 (ii) ~~The waiver of the right to a secret ballot shall contain the following~~
 25 ~~statement: "My ballot was transmitted electronically to me, and I am voluntarily~~
 26 ~~waiving my right to a secret ballot." The waiver shall also contain spaces for the~~
 27 ~~voter's handwritten signature, the date, and the last four digits of the voter's social~~
 28 ~~security number.~~

29 (iii) If the materials are transmitted electronically to the voter, the voter shall
 30 mark the ballot as provided in R.S. 18:1310 and complete the certificate and waiver

1 and return his voted ballot and completed certificate and waiver to the registrar by
 2 facsimile or any means authorized by Subsection B of this Section. ~~The registrar and~~
 3 ~~his staff shall take the steps necessary to keep the voted ballot as confidential as~~
 4 ~~practicable.~~

5 (iv) (iii) If an immediate family member of the voter picks up the voter's
 6 materials, the voter shall mark the ballot as provided in R.S. 18:1310 and return his
 7 voted ballot and completed certificate to the registrar by facsimile or any means
 8 authorized by Subsection B of this Section. If the voter returns the voted ballot and
 9 completed certificate by facsimile, he shall also include his completed waiver, and
 10 the registrar and his staff shall take the steps necessary to keep the voted ballot as
 11 confidential as practicable.

12 (d)(i) Upon request, the registrar shall transmit electronically a ballot,
 13 certificate, and waiver of the right to a secret ballot as provided in Subsection D of
 14 this Section to a voter who is eligible to vote absentee by mail pursuant to R.S.
 15 18:1303(F) or (I) and who is unable to vote an absentee by mail ballot without
 16 assistance because of a disability.

17 (ii) ~~The waiver of the right to a secret ballot shall contain the following~~
 18 ~~statement: "My ballot was transmitted electronically to me, and I am voluntarily~~
 19 ~~waiving my right to a secret ballot." The waiver shall also contain spaces for the~~
 20 ~~voter's handwritten signature or mark, the date, and the last four digits of the voter's~~
 21 ~~social security number.~~

22 (iii) The voter shall mark the ballot and complete the certificate and waiver
 23 as provided in R.S. 18:1310 and return his voted ballot and completed certificate and
 24 waiver to the registrar by facsimile or any means authorized by Subsection B of this
 25 Section. ~~The registrar and his staff shall take the steps necessary to keep the voted~~
 26 ~~ballot as confidential as practicable.~~

27 (2)(a) With respect to members of the United States Service and persons
 28 residing outside the United States who are registered to vote, these materials shall
 29 be mailed as provided by the Uniformed and Overseas Citizens Absentee Voting Act
 30 (39 U.S.C. 3406 and ~~42 U.S.C. 1973ff~~ 52 U.S.C. 20301 et seq.) and shall include

1 both the primary election ballot and the special ballot for the general election. The
2 registrar shall mail the materials for candidates for United States senator or United
3 States representative in congressional primary and general elections, candidates for
4 presidential nominee in presidential preference primary elections, and candidates in
5 presidential elections at least forty-five days prior to the election to those voters who
6 have made application to vote absentee by mail by such time.

7 (b) Notwithstanding the provision of Subparagraph (a) of this Paragraph,
8 with respect to members of the United States Service and persons residing outside
9 the United States who are registered to vote, these materials may be electronically
10 transmitted as follows: ~~for~~

11 (i) For candidates for United States senator or United States representative
12 in congressional primary and general elections, the registrar shall ~~and must~~ include
13 the special ballot or ballots as provided in R.S. 18:1306(A)(4) for the congressional
14 general election. The registrar shall transmit the materials at least forty-five days
15 prior to the election to those voters who have requested electronic transmission by
16 such time.

17 ~~(c) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,~~
18 ~~with respect to members of the United States Service and persons residing outside~~
19 ~~the United States who are registered to vote, these materials may be electronically~~
20 ~~transmitted for~~ (ii) For candidates for presidential nominee in presidential preference
21 primary elections and candidates in presidential elections, the ~~The~~ registrar shall
22 transmit the materials at least forty-five days prior to the election to those voters who
23 have requested electronic transmission by such time.

24 ~~(d) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,~~
25 ~~with respect to members of the United States Service and persons residing outside~~
26 ~~the United States who are registered to vote, these materials may be electronically~~
27 ~~transmitted for~~ (iii) For candidates for state, local, and municipal offices, the registrar
28 ~~and~~ shall include the special ballot or ballots as provided in R.S. 18:1306(A)(4) for
29 the general election.

1 ~~(e)~~ Notwithstanding the provisions of Subparagraph (a) of this Paragraph,
 2 ~~with respect to members of the United States Service and persons residing outside~~
 3 ~~the United States who are registered to vote, these materials~~ (iv) Materials may be
 4 electronically transmitted for candidates for political party offices;

5 ~~(f)~~ Notwithstanding the provisions of Subparagraph (a) of the Paragraph,
 6 ~~with respect to members of the United States Service and persons residing outside~~
 7 ~~the United States who are registered to vote, these materials may be electronically~~
 8 ~~transmitted~~ and for recall, proposed constitutional amendments, proposition, and
 9 question elections.

10 ~~(g)~~ (c) For mailed ballots, the envelope mailed to the voter shall contain
 11 ballot envelopes, an adequate number of certificates required pursuant to R.S.
 12 18:1306, and a return envelope. The return envelope shall bear the official title and
 13 mailing address of the registrar and the name, return address, and precinct or district
 14 number of the voter. The voter shall return his voted primary election ballot and
 15 certificate and special ballot and certificate for the general election to the registrar
 16 in the appropriate envelope. The registrar of voters shall mail a regular general
 17 election absentee ballot to a member of the United States Service or to persons
 18 residing overseas only if the regular general election absentee ballot includes one or
 19 more elections that were not included on the special ballot sent, as provided herein,
 20 to such voter. The envelope for the special ballot shall contain language on the
 21 outside of the envelope that clearly designates which envelope is to be used for
 22 return of the general election ballot.

23 ~~(d)(h)~~(i) For electronically transmitted ballots, the registrar shall transmit the
 24 ballot or ballots, certificate, and waiver of the right to a secret ballot as provided in
 25 Subsection D of this Section to the voter for each ballot mailing. ~~The waiver of the~~
 26 ~~right to a secret ballot shall contain the following statement: "My ballot was~~
 27 ~~transmitted electronically to me, and I am voluntarily waiving my right to a secret~~
 28 ~~ballot." The waiver shall also contain spaces for the voter's handwritten signature,~~
 29 ~~the date, and the last four digits of the voter's social security number.~~ The voter shall
 30 return by facsimile or any means authorized by Subsection B of this Section his

1 voted ballot or ballots and completed certificate and waiver for each ballot mailing.
 2 ~~The registrar and his staff shall take the steps necessary to keep each voted ballot as~~
 3 ~~confidential as practicable.~~

4 (ii) The voter may use a separate "Security Envelope" and ballot transmittal
 5 envelope from the Federal Write-in Absentee Ballot to mail the electronically
 6 transmitted presidential preference primary, presidential, congressional primary, or
 7 congressional general election ballot or ballots, certificate, and waiver of the right
 8 to a secret ballot to the parish registrar of voters for each ballot mailing.

9 ~~(f)~~ (e) Notwithstanding the provisions of Subparagraphs (a) ~~through (f)~~ and
 10 (b) of this Paragraph, a voter who is a member of the United States Service or who
 11 resides outside the United States and who feels he will not have time to vote timely
 12 by mail, may request that the registrar transmit to him by facsimile a ballot, or a
 13 second ballot, as the case may be, along with a certificate and waiver of the right to
 14 a secret ballot as provided in Subsection D of this Section, and the registrar shall do
 15 so. ~~The waiver of the right to a secret ballot shall contain the following statement:~~
 16 ~~"My ballot was transmitted by facsimile to me, and I am voluntarily waiving my~~
 17 ~~right to a secret ballot." The waiver shall also contain spaces for the voter's~~
 18 ~~handwritten signature, the date, and the last four digits of the voter's social security~~
 19 ~~number.~~ The voter may then mail his voted ballot and completed certificate and
 20 waiver back to the registrar or transmit the documents by facsimile at the facsimile
 21 machine number designated by the registrar. Upon receipt, the registrar shall place
 22 the voted ballot along with the completed certificate and waiver in an appropriately
 23 marked envelope and seal it. ~~The registrar and his staff shall take the steps necessary~~
 24 ~~to keep the voted ballots as confidential as practicable.~~

25 ~~(f)~~(j)(i) The secretary of state as the chief election officer of the state shall
 26 take all actions reasonably necessary to allow members of the United States Service
 27 and persons residing outside the United States to vote according to the Uniformed
 28 and Overseas Citizens Absentee Voting Act or otherwise, whether by mail, facsimile,
 29 or other means of transmission of the ballot, notwithstanding any provision of this
 30 Code to the contrary.

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

6 * * *

7 D.(1) The waiver of the right to a secret ballot shall contain the following
8 statement: "My ballot was transmitted by facsimile to me, and I am voluntarily
9 waiving my right to a secret ballot." The waiver shall also contain spaces for the
10 voter's handwritten signature, the date, and the last four digits of the voter's social
11 security number.

12 (2) The registrar and his staff shall take the steps necessary to keep all voted
13 ballots accompanied by a completed certificate and waiver as confidential as
14 practicable.

15 * * *

16 §1308.1. Absentee voting by person serving on sequestered jury

17 A. Immediately upon receipt of an application, the registrar shall deliver the
18 necessary instructions, certificates, ballots, and envelopes to the officer of the court
19 in charge of the sequestered jury on which the applicant is serving, at the address
20 furnished by the applicant. ~~Each envelope delivered to the officer shall contain two~~
21 ~~envelopes, one of which shall be the ballot envelope and the other shall be a return~~
22 ~~envelope bearing the official title and mailing address of the registrar and the name,~~
23 ~~return address, and precinct or district number of the voter. This latter envelope shall~~
24 ~~be used by each voter to return his ballot.~~

25 * * *

26 §1309. Early voting; verification

27 * * *

28 E.

29 * * *

1 (5)

2 * * *

3 (b)

4 * * *

5 (ii) If the paper ballot ~~envelope contains~~ includes a certificate ~~on the~~
6 ~~envelope flap~~, the voter shall not be required to sign the certificate. The registrar of
7 voters or deputy registrar shall write "early voting ballot" across the ~~envelope flap~~
8 certificate and include the voter's name, ward, precinct, and registration number and
9 attach it to the early voting confirmation sheet so that the ballot may be identified for
10 purposes of a challenge filed pursuant to R.S. 18:1315.

11 * * *

12 F.

13 * * *

14 (3) At the end of the early voting period, the registrar shall complete the
15 early voting verification form for each location and sign and certify to its correctness
16 and print an early voter report from the state voter registration computer system
17 listing all early voters from the parish. All early voting verification forms, early
18 voting machine public counter logs, early voting confirmation sheets, early voter
19 reports, and paper ballots voted during early voting shall be placed in the special,
20 secure absentee by mail and early voting ~~envelope or~~ container for delivery to the
21 parish board of election supervisors on election day for the tabulation and counting
22 of early voting ballots.

23 * * *

24 §1310. Execution of certificate; marking of ballot; casting vote; assistance

25 A.(1) When a voter receives the absentee voting materials by mail, he first
26 shall fill in all blanks on the provided certificate ~~on the ballot envelope flap~~. The
27 voter then shall mark the ballot according to the printed instructions on its face.
28 Then the voter shall place the voted ballot in the ballot envelope, seal the envelope,
29 and sign the certificate ~~on the ballot envelope flap~~.

30 * * *

1 C.(1) Any person who assists a voter in voting absentee by mail shall
 2 execute the acknowledgment on the ~~ballot envelope flap~~ certificate prepared by the
 3 secretary of state, verifying that the person providing the assistance has marked the
 4 ballot in the manner dictated by the voter, and the signature on the acknowledgment
 5 by the person providing assistance may serve as the signature of the witness required
 6 by R.S. 18:1306(E)(2)(a).

7 * * *

8 §1312. Retention of ballots at registrar's office

9 * * *

10 B. All absentee by mail ballots which are received timely shall be removed
 11 from the mail return envelope, if applicable, shall be arranged by ward and precinct
 12 and placed and retained in a special, secure absentee by mail and early voting ballot
 13 ~~envelope or~~ container designated and used only for that purpose, and shall be
 14 delivered to the parish board of election supervisors to be counted and tabulated as
 15 provided in R.S. 18:1313.

16 C. After the tabulation of the absentee by mail and early voting ballots on
 17 election night, the board shall replace the absentee by mail ballots, early voting
 18 machine results reports, early voting verification forms, early voting machine public
 19 counter logs, absentee by mail and early voter reports, and early voting confirmation
 20 sheets in the special, secure absentee by mail and early voting ballot ~~envelope or~~
 21 container and return the ~~envelope or~~ container to the registrar of voters. The registrar
 22 shall retain the special, secure absentee by mail and early voting ballot ~~envelope or~~
 23 container inviolate until the delay for filing an election contest has lapsed, or, if an
 24 action contesting the election has been filed, until the judgment in the action
 25 becomes definitive.

26 * * *

27 §1313. Tabulation and counting of absentee by mail and early voting ballots

28 A.(1) ~~The parish board of election supervisors in a parish that has fewer than~~
 29 ~~one thousand absentee by mail ballots returned to the registrar of voters for a primary~~

1 ~~or general election shall conduct the tabulation and counting of absentee by mail and~~
2 ~~early voting ballots in accordance with this Section.~~

3 (2) ~~The parish board of election supervisors in a parish that has one thousand~~
4 ~~or more absentee by mail ballots returned to the registrar of voters for a primary or~~
5 ~~general election~~ may conduct the tabulation and counting of absentee by mail and
6 early voting ballots in accordance with this Section. The parish board shall notify
7 the secretary of state in writing no later than five days prior to a primary or general
8 election that the tabulation and counting of absentee by mail and early voting ballots
9 will be conducted pursuant to this Section or pursuant to R.S. 18:1313.1.

10 * * *

11 C.

12 * * *

13 (2) Prior to the counting of absentee by mail and early voting ballots on
14 election day, any person authorized by the secretary of state may assist the registrar
15 of voters in the challenge removal process on the early voting machines, in the
16 reading of the early voting machine results cartridges on the secretary of state's
17 equipment, and in producing the early voting machine results report. All early
18 voting machine results reports shall be placed in the special, secure absentee by mail
19 and early voting ~~envelope or~~ container.

20 * * *

21 G. The procedure for the preparation, verification, counting, and tabulation
22 of absentee by mail ballots shall be as follows:

23 (1) A member of the board shall remove ~~the certificates and special absentee~~
24 ~~by mail ballots and envelopes containing the absentee by mail ballots~~ all certificates,
25 envelopes, and ballots from the special, secure absentee by mail and early voting
26 ballot ~~envelope or~~ container.

27 (2) The board shall announce the name of each absentee by mail voter and
28 the ward and precinct where he is registered to vote, and shall compare the name on

1 the certificate ~~or on the flap of the envelope containing the absentee by mail ballot~~
 2 with the names on the absentee by mail voter report.

3 * * *

4 (4) If the board determines that an absentee by mail ballot is valid, a member
 5 of the board shall make a check mark on the absentee by mail voter report beside the
 6 name of the voter as it appears on the report and write his initials on each page of the
 7 report. If applicable, a member of the board shall ~~tear the flap from the envelope~~
 8 ~~containing the absentee by mail ballot~~ remove the certificate and leave the envelope
 9 sealed.

10 (5) If a majority of the members of the board determine that an absentee by
 11 mail ballot is invalid, the members shall ~~leave the flap on the envelope containing~~
 12 ~~the absentee by mail ballot~~ not remove the certificate, leave the envelope sealed, and
 13 a member of the board shall write the word "rejected", together with the reasons for
 14 rejecting the ballot, across the envelope containing the ballot or across the certificate
 15 ~~attached to the special absentee by mail ballot~~. He shall also write the word
 16 "rejected" and his initials on the absentee by mail voter report beside the name of the
 17 voter as it appears in the report. The rejected absentee by mail ballots and
 18 certificates shall be replaced in the special, secure absentee by mail and early voting
 19 ballot ~~envelope or~~ container. No rejected absentee by mail ballot shall be counted.

20 (6) After the validity of all absentee by mail ballots has been determined, the
 21 members of the board shall place the valid certificates ~~and the flaps removed from~~
 22 ~~the valid absentee by mail ballots~~ in the ~~envelope or~~ container provided for that
 23 purpose and seal the ~~envelope or~~ container. Two of the members shall execute the
 24 certificate on the ~~envelope~~ container.

25 * * *

26 (9) If a ballot is physically damaged or cannot properly be counted by the
 27 counting equipment and the vote cast by the voter is clearly discernible from a
 28 physical inspection of the defective ballot, the ballot may be counted by hand or a
 29 true duplicate may be made of the defective ballot in the presence of witnesses and
 30 substituted for the ballot. Any duplicate ballot shall be clearly labeled "duplicate",

1 bear a ballot number which shall be recorded on the defective ballot, and be counted
 2 in lieu of the defective ballot. After a ballot has been duplicated, the defective ballot
 3 shall be placed in the special, secure absentee by mail and early voting ballot
 4 ~~envelope or~~ container, and the duplicate ballot shall be counted with the other valid
 5 ballots.

6 * * *

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

9 (1) A member of the board shall remove the early voting verification forms,
 10 early voting machine public counter logs, early voting confirmation sheets, paper
 11 ballots voted during early voting, early voter report, and all early voting machine
 12 results reports from the special, secure absentee by mail and early voting ballot
 13 ~~envelope or~~ container.

14 * * *

15 (4) For each paper ballot voted during early voting, the board shall announce
 16 the name of the person who voted by paper ballot during early voting and the ward
 17 and precinct where he is registered to vote and shall compare the name on the ~~flap~~
 18 ~~of the envelope containing the early voting ballot~~ certificate with the names on the
 19 early voter report.

20 * * *

21 (6) If the board determines that a paper ballot voted during early voting is
 22 valid, a member of the board shall write the words "voted early" and his initials on
 23 the early voter report beside the name of the voter as it appears on the report. A
 24 member of the board shall ~~tear the flap from the envelope containing the paper ballot~~
 25 ~~voted during early voting~~ remove the certificate and leave the envelope sealed.

26 (7) If a majority of the members of the board determine that a paper ballot
 27 voted during early voting is invalid, the members shall ~~leave the flap on the envelope~~
 28 ~~containing the ballot~~ not remove the certificate, leave the envelope sealed, and a
 29 member of the board shall write the word "rejected" together with the reasons for
 30 rejecting the ballot across the envelope containing the ballot. He shall also write the

1 word "rejected" and his initials on the early voter report beside the name of the voter
2 as it appears on the report. The rejected ballot shall be placed in the special, secure
3 absentee by mail and early voting ballot ~~envelope or~~ container. No rejected paper
4 ballot voted during early voting shall be counted.

5 (8) After the validity of all paper ballots voted during early voting has been
6 determined, the members of the board shall place the valid early voting confirmation
7 sheets and ~~flaps removed from the valid paper ballots voted during early voting~~
8 certificates in the ~~envelope or~~ container provided for that purpose and seal the
9 ~~envelope or~~ container. Two of the members shall execute the certificate on the
10 ~~envelope or~~ container.

11 * * *

12 (11) If a ballot is physically damaged or cannot properly be counted by the
13 counting equipment and the vote cast by the voter is clearly discernible from a
14 physical inspection of the defective ballot, the ballot may be counted by hand or a
15 true duplicate may be made of the defective ballot in the presence of witnesses and
16 substituted for the ballot. Any duplicate ballot shall be clearly labeled "duplicate",
17 bear a ballot number which shall be recorded on the defective ballot, and be counted
18 in lieu of the defective ballot. After a ballot has been duplicated, the defective ballot
19 shall be placed in the special, secure absentee by mail and early voting ballot
20 ~~envelope or~~ container, and the duplicate ballot shall be counted with the other valid
21 ballots.

22 (12)

23 * * *

24 (b) The board shall sign and certify to the correctness of each zero proof
25 sheet and place all zero proof sheets in the special, secure absentee by mail and early
26 voting ~~envelope or~~ container.

27 * * *

28 I. The final absentee by mail and early voting vote report prepared by the
29 parish board of election supervisors shall be transmitted to the clerk of court
30 immediately upon completion of the tabulation of the absentee by mail and early

1 voting ballots on election night. A copy of the record shall be transmitted
 2 immediately to the secretary of state, and a copy of the record shall be placed in the
 3 special, secure absentee by mail and early voting ~~envelope or~~ container.

4 * * *

5 K.(1) Upon completion of the tabulation and counting of the absentee by
 6 mail and early voting ballots, the parish board of election supervisors shall return the
 7 absentee by mail and early voting ballots and electronic results report to the special,
 8 secure absentee by mail and early voting ballot ~~envelope or~~ container, shall seal the
 9 ~~envelope or~~ container, and shall deliver the ~~envelope or~~ container to the registrar of
 10 voters. The registrar shall preserve the ~~envelope or~~ container and its contents
 11 inviolate and, except upon order of a court of competent jurisdiction, shall not allow
 12 the absentee by mail and early voting documents to be inspected by anyone until the
 13 delay for filing an action contesting the election has lapsed. If an action contesting
 14 the election is commenced timely, the registrar shall continue to preserve the
 15 ~~envelope or~~ container and its contents inviolate, subject to the orders of the court,
 16 until the final judgment in the action has become definitive.

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

28 * * *

29 (c) Upon completion of the recount of the absentee by mail and early voting
 30 ballots, the board shall return the absentee by mail and early voting documents to the

1 special, secure absentee by mail and early voting ballot ~~envelope or container~~, shall
 2 reseal the ~~envelope or container~~, and shall deliver the ~~envelope or container~~ and its
 3 contents to the registrar of voters who shall preserve the ~~envelope or container~~ and
 4 its contents in the manner provided for in Paragraph (1) of this Subsection.

5 * * *

6 (3) A candidate or his representative, in the presence of a majority of the
 7 parish board of election supervisors, shall be allowed to inspect the ~~flaps~~ certificates
 8 removed from the valid absentee by mail ballots and the ~~flaps~~ certificates removed
 9 from the valid early voting ballots when paper ballots are used for early voting. All
 10 such inspections shall be held at a time set by the secretary of state, in conjunction
 11 with the registrar of voters and the clerk of court, or following the recount of
 12 absentee by mail and early voting ballots on the fifth day after the election and at any
 13 time ordered by a court of competent jurisdiction. If the fifth day after the election
 14 falls on a holiday or weekend, such inspection shall be held on the next working day
 15 at a time set by the secretary of state, in conjunction with the registrar of voters and
 16 the clerk of court, or following the recount of absentee by mail and early voting
 17 ballots. Any written request for inspection shall be filed with the clerk of court. The
 18 deadline for filing a request for inspection shall be 4:30 p.m. on the third calendar
 19 day after the election. Immediately upon receiving any request, the clerk of court
 20 shall prominently post in his office a notice of the time and place where the
 21 inspection will occur and the name of the candidate requesting the inspection. The
 22 candidate requesting the inspection shall be responsible for all reasonable costs
 23 associated with such inspection which shall be payable to the clerk of court. The
 24 costs shall be paid at the time the written request for the inspection is filed with the
 25 clerk of court and shall be paid in cash, by certified or cashier's check on a state or
 26 national bank or credit union, United States postal money order, or money order
 27 issued by a state or national bank or credit union.

28 * * *

1 §1313.1. Preparation, verification, tabulation, and counting of absentee by mail and
2 early voting ballots

3 * * *

4 C.

5 * * *

6 (3) Prior to the counting of absentee by mail and early voting ballots on
7 election day, any person authorized by the secretary of state may assist the registrar
8 of voters in the challenge removal process on the early voting machines, in the
9 reading of the early voting machine results cartridges on the secretary of state's
10 equipment, and in producing the early voting machine results report. All early
11 voting machine results reports shall be placed in the special, secure absentee by mail
12 and early voting ~~envelope or~~ container.

13 * * *

14 G. The procedure for the preparation and verification process for the
15 tabulation and counting of absentee by mail ballots and early voting paper ballots
16 before the election shall be as follows:

17 (1)(a) A member of the board shall remove the certificates, early voting
18 verification forms, early voting machine public counter logs, early voting
19 confirmation sheets, absentee by mail ballots, early voting paper ballots, and
20 envelopes containing the absentee by mail ballots and early voting paper ballots from
21 the special, secure absentee by mail and early voting ballot ~~envelope or~~ container.

22 * * *

23 (2) The board shall announce the name of each absentee by mail voter, each
24 voter who voted a paper ballot during early voting and the ward and precinct where
25 he is registered to vote, and shall compare the name on the certificate ~~or on the flap~~
26 ~~of the envelope containing the absentee by mail ballot or early voting paper ballot~~
27 with the names on the absentee by mail voter report or early voter report, as
28 applicable.

29 * * *

1 early voting ballot ~~envelope or~~ container. No rejected absentee by mail ballot or
2 early voting paper ballot shall be counted.

3 (5) After the validity of all absentee by mail ballots and early voting paper
4 ballots have been determined, the members of the board shall break the seal on the
5 ~~envelope or~~ container and place the valid certificates ~~and the flaps removed from the~~
6 ~~valid absentee by mail ballots and early voting paper ballots~~ in the ~~envelope or~~
7 container provided for that purpose and seal the ~~envelope or~~ container. Two of the
8 members shall execute the second certificate on the envelope and date the certificate
9 the day of the election.

10 * * *

11 (8) If a ballot is physically damaged or cannot properly be counted by the
12 counting equipment and the vote cast by the voter is clearly discernible from a
13 physical inspection of the defective ballot, the ballot may be counted by hand or a
14 true duplicate may be made of the defective ballot in the presence of witnesses and
15 substituted for the ballot. Any duplicate ballot shall be clearly labeled "duplicate",
16 bear a ballot number which shall be recorded on the defective ballot, and be counted
17 in lieu of the defective ballot. After a ballot has been duplicated, the defective ballot
18 shall be placed in the special, secure absentee by mail and early voting ballot
19 ~~envelope or~~ container, and the duplicate ballot shall be counted with the other valid
20 ballots.

21 * * *

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

24 (1) A member of the board shall remove the early voting machine results
25 reports from the special, secure absentee by mail and early voting ballot ~~envelope or~~
26 container.

27 * * *

28 (4)

29 * * *

1 (b) The board shall sign and certify to the correctness of each zero proof
2 sheet and place all zero proof sheets in the special, secure absentee by mail and early
3 voting ~~envelope or~~ container.

4 * * *

5 J. The final absentee by mail and early voting vote report prepared by the
6 parish board of election supervisors shall be transmitted to the clerk of court
7 immediately upon completion of the tabulation of the absentee by mail and early
8 voting ballots on election night. A copy of the record shall be transmitted
9 immediately to the secretary of state, and a copy of the record shall be placed in the
10 special, secure absentee by mail and early voting ~~envelope or~~ container.

11 * * *

12 L.(1) Upon completion of the tabulation and counting of the absentee by
13 mail and early voting ballots on election day, the parish board of election supervisors
14 shall return the absentee by mail and early voting ballots and electronic results report
15 to the special, secure absentee by mail and early voting ballot ~~envelope or~~ container,
16 shall seal the ~~envelope or~~ container, and shall deliver the ~~envelope or~~ container to the
17 registrar of voters. The registrar shall preserve the ~~envelope or~~ container and its
18 contents inviolate and, except upon order of a court of competent jurisdiction, shall
19 not allow the absentee by mail and early voting documents to be inspected by anyone
20 until the delay for filing an action contesting the election has lapsed. If an action
21 contesting the election is commenced timely, the registrar shall continue to preserve
22 the ~~envelope or~~ container and its contents inviolate, subject to the orders of the court,
23 until the final judgment in the action has become definitive.

24 (2)(a)(i) Notwithstanding the provisions of Paragraph (1) of this Subsection,
25 if the number of absentee by mail and early voting ballots cast for all candidates for
26 an office could make a difference in the outcome of the election for such office, upon
27 the written request of a candidate for such office, the board shall recount the absentee
28 by mail ballots by hand or scanning equipment and early voting ballots
29 electronically, unless paper ballots were used for early voting and in such case, the
30 ballots shall be recounted by hand for such office. The registrar shall preserve the

1 ordered by a court of competent jurisdiction. If the fifth day after the election falls
 2 on a holiday or weekend, such inspection shall be held on the next working day at
 3 a time set by the secretary of state, in conjunction with the registrar of voters and the
 4 clerk of court, or following the recount of absentee by mail and early voting ballots.
 5 Any written request for inspection shall be filed with the clerk of court. The deadline
 6 for filing a request for inspection shall be 4:30 p.m. on the third calendar day after
 7 the election. Immediately upon receiving any request, the clerk of court shall
 8 prominently post in his office a notice of the time and place where the inspection will
 9 occur and the name of the candidate requesting the inspection. The candidate
 10 requesting the inspection shall be responsible for all reasonable costs associated with
 11 such inspection, which shall be payable to the clerk of court. The costs shall be paid
 12 at the time the written request for the inspection is filed with the clerk of court and
 13 shall be paid in cash or by certified or cashier's check on a state or national bank or
 14 credit union, United States postal money order, or money order issued by a state or
 15 national bank or credit union.

16 * * *

17 §1315. Challenge of absentee by mail or early voting ballot

18 * * *

19 C.

20 * * *

21 (2) If a challenge in accordance with the provisions of Subsection A of this
 22 Section is sustained, the vote shall not be counted, the ballot or early voting
 23 confirmation sheet shall be placed in the special, secure absentee by mail and early
 24 voting ballot ~~envelope~~ or container, and the board shall notify the voter in writing of
 25 the challenge and the cause therefor. This notification shall be on a form provided
 26 by the secretary of state and shall be signed by at least a majority of the members of
 27 the board. The notice of the challenge and the cause therefor shall be given within
 28 four business days by mail, addressed to the voter at his place of residence. The
 29 board shall retain a copy of the notification. However, if the challenge is based upon
 30 a change of residence within the parish or is based upon a change of residence

1 outside the parish that has occurred within the last three months, the ballot shall be
 2 counted provided that the voter confirmed his current address as shown by the
 3 affidavit of the absentee by mail ballot ~~envelope flap~~ certificate or early voting
 4 confirmation sheet or, if the voter is on the inactive list of voters, as shown by the
 5 information provided on an address confirmation ~~card~~ notice.

6 (3)(a) If a challenge in accordance with the provisions of Subsection B of
 7 this Section is sustained, the vote shall not be counted, the board shall write
 8 "rejected" and the cause therefor across the ballot envelope or early voting
 9 confirmation sheet, and shall place the ballots and early voting confirmation sheets
 10 so rejected in the special, secure absentee by mail and early voting ballot ~~envelope~~
 11 ~~or~~ container. The board shall notify the voter in writing of the challenge and the
 12 cause therefor. The notification shall be on a form provided by the secretary of state
 13 and shall be signed by at least a majority of the members of the board. The notice
 14 of the challenge and the cause therefor shall be given within four business days by
 15 mail addressed to the voter at his place of residence. The board shall retain a copy
 16 of the notification.

17 (b) If a ballot is rejected pursuant to the provisions of R.S. 18:1316, the vote
 18 shall not be counted, the board shall write "rejected" and the cause therefor on a
 19 separate slip of paper and attach it to the ballot, and shall place the ballots so rejected
 20 in the special, secure absentee by mail and early voting ballot ~~envelope~~ or container.

21 * * *

22 §1333. Nursing home early voting program; voting by persons residing in a nursing
 23 home

24 * * *

25 E. The registrar shall notify the applicant by letter, at the return nursing
 26 home address shown on the request, the day on which a deputy registrar or other
 27 qualified person selected by the registrar will be present at the nursing home to
 28 permit the applicant to cast his ballot. The registrar shall assign a number to the
 29 applicant, that shall be stamped or entered in ink on the upper right side of the letter
 30 and also shall be entered in clearly distinguishable figures on ~~the flap~~ of the absentee

1 by mail ballot envelope that will contain the absentee by mail ballot to be delivered
 2 to that applicant on the day designated in the letter. If the letter is mailed by the
 3 registrar prior to his receipt of the absentee by mail ballots for the election, he shall
 4 enter the name of the applicant, his address, ward and precinct, and the number
 5 assigned to the applicant on a list that he shall keep for the purpose and, upon receipt
 6 of the absentee by mail ballots for the election, he shall enter the number on the
 7 absentee by mail ballot envelope as provided in this Subsection.

8 * * *

9 G. The voting by each voter shall be accomplished in the following manner:

10 (1) The voter shall present to the registrar the letter he received from the
 11 registrar that bears the reply number assigned as provided in Subsection E of this
 12 Section. The registrar shall compare the number on the letter with the number on the
 13 absentee by mail ballot envelope in his possession and, if they are identical, he shall
 14 hand the envelope containing the absentee by mail ballot to the voter. However, if
 15 the voter is on the inactive list of voters, the voter must complete an address
 16 confirmation ~~card~~ notice prior to receiving the envelope containing the absentee by
 17 mail ballot.

18 * * *

19 (3) The voter shall mark his ballot as provided in R.S. 18:1310(A). The
 20 voter then shall place the absentee by mail ballot in the absentee by mail ballot
 21 envelope, sign the included certificate, and seal the envelope, ~~and sign the certificate~~
 22 ~~on the absentee by mail ballot envelope flap.~~

23 * * *

24 (7) Upon receipt of an address confirmation ~~card~~ notice, the registrar shall
 25 reinstate the voter to the official list of voters.

26 * * *

27 Section 2. R.S. 18:110(A)(3), 154(I) and (J), 443(F), 443.2(6), 444(F), 445(A)(3),
 28 and 585 are hereby repealed in their entirety.

29 Section 3. This Act shall become effective upon signature by the governor or, if not
 30 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
3 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____