

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 123

2023 Regular Session

Henry

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

ELECTION CODE. Provides relative to recall petitions. (8/1/23)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Specify that upon receipt of a signed and dated petition, the registrar of voters shall affix the date received and a page number to the front of each page.
2. Remove an internal citation.
3. Allow a registrar of voters to request and accept assistance of employees of the department of state and registrars and deputy registrars of voters from other parishes to complete the certification of a recall petition.
4. Specify that a person offering to assist a registrar of voters with the certification of a recall petition shall be considered a deputy registrar of the requesting parish registrar for that purpose only.
5. Provide that a written request of a voter to have his signature stricken from or added to a recall petition shall be a public record at the time the recall petition becomes public record.
6. Provide that upon the filing of a recall petition, the chairman, or the vice chairman when acting as chairman, shall no longer be the custodian of the petition.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

SB 123 Engrossed

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Present law provides recall petitions must contain certain information, including the date the voter signed the petition, the name of the person who witnessed the signature, and the date on which the witness saw the voter sign the petition.

Proposed law retains present law and further requires inclusion of the month, day, and year the voter signed the petition, the typed or legibly written name of the witness, and the month, day, and year the witness saw the voter sign the petition.

Present law requires recall petitions to include the signer's ward and precinct.

Proposed law repeals present law.

Present law requires the secretary of state to provide a form approved by the attorney general to be used for the petition in a recall election.

Proposed law retains present law and further requires that the form include preprinted line numbers.

Proposed law requires that upon receipt of a recall petition, the secretary of state provide a document providing general information on petition requirements and deadlines to the chairman and vice chairman designated to represent the petitioners. Further requires the document to be prepared by the secretary of state in conjunction with the La. Registrars of Voters Assoc. and approved by the attorney general.

Proposed law provides that the unsigned petition becomes a public record when it is filed with the secretary of state.

Proposed law requires the registrar of voters to affix the date received and a page number to the front of each page of a signed and dated recall petition.

Proposed law requires a chairman to submit to the registrar of voters, in conjunction with a recall petition an affidavit verifying the number of signatures submitted along with an attestation that to the best of his knowledge all documents submitted are originals and not photocopies.

Present law provides for the filing of recall petitions with the secretary of state. Requires the secretary of state to notify the registrar of voters in each parish in the voting area where the recall election would be held. Provides for submission of the signed and dated recall petition to the registrar of voters and notification of the public officer who is the subject of the recall petition. Requires the registrar to certify the signed petition.

Proposed law retains present law.

Present law provides that a recall petition, including the name, address, and signature of each elector who has signed the petition, becomes a public record upon the signature of the first elector.

Proposed law instead provides that the recall petition and the name, address, and signature of each elector who has signed the petition becomes a public record upon the passage of 90 days after the signature of the first elector.

Present law allows any voter to make a written request to have his signature stricken from or added to a recall petition within a certain time period. Provides that a written request to strike or add a name is a public record.

Proposed law retains present law allowing a voter to request to strike or add his name but makes the request a public record upon the passage of 90 days after the signature of the first elector.

Present law generally requires a registrar of voters to certify a recall petition within 15 working days after its submission. Further requires the certification to occur within 20 working days if any parish wholly or partially within the voting area has more than 50,000 registered voters.

Proposed law generally requires a registrar of voters to certify a recall petition within 20 working days after its submission, rather than 15. Further requires the certification to occur within 30 working days, rather than 20, if any parish wholly or partially within the voting area has more than 50,000 registered voters.

Proposed law generally grants a registrar of voters an additional 10 working days to complete the recall petition certification if the deadline occurs during the time period commencing 45 days before a primary election and ending on the date of the corresponding general election. Further grants an additional 20 working days if any parish wholly or partially within the voting area has more than 50,000 registered voters.

Proposed law authorizes the registrar of voters to request and accept the assistance of employees of the Dept. of State and registrars and deputy registrars of other parishes for the purpose of completing the certification of the recall petition. Provides that persons offering assistance shall be considered a deputy registrar for that purpose only.

(Amends R.S. 18:3(A), 1300.2(C)(1) and (2) and (D), 1300.3(A) and (B), and 1300.5 and R.S. 44:4.1(B)(10))