DIGEST

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HB 221 Original   2024 Regular Session   Bayham

Abstract: Provides for the form and substance of a recall petition, provides for the amount of time afforded to the registrar of voters and the use of additional personnel to complete certification of a recall petition, and provides for the public record status of the petition and the signatures thereon.

Present law requires that recall petitions 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, upon receipt of a recall petition, the secretary of state to provide a document including 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 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 with a recall petition an affidavit verifying the number of signatures submitted along with an attestation that all documents

submitted are originals and not photocopies.

Present law prohibits the registrar of voters from counting any signature which is undated. Proposed law additionally prohibits the registrar of voters from counting any signature that does not conform with the additional form requirements provided for in proposed law.

Present law requires each registrar to indicate on the petition the names appearing thereon who are not electors of the voting area. Further provides that each person who participates in the review of the names on the petition for certification by the registrar shall initial each of those portions of the petition which he reviews. Proposed law retains present law.

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 instead 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 grants a registrar of voters an additional 10 working days to complete the recall petition certification if the deadline would occur 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 are to be considered deputy registrars for that purpose only.

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 signed the petition becomes a public record 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 after the registrar receives the petition. Provides that a written request to strike or add a name is a public record.

Proposed law retains existing 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.

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