

2024 Regular Session

HOUSE BILL NO. 261

BY REPRESENTATIVE WILLARD

ELECTIONS/POLLING PLACES: Provides for permissible acts within the campaign-free zone at polling places

1 AN ACT

2 To amend and reenact R.S. 18:1462(A)(2) and (C), relative to activities conducted within
3 the campaign-free zone during early voting or on election day; to authorize activities
4 not otherwise prohibited by law within the campaign-free zone; to provide for
5 effectiveness; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:1462(A)(2) and (C) are hereby amended and reenacted to read as
8 follows:

9 §1462. Acts prohibited during early voting or on election day; electioneering;
10 intimidation; exceptions; enforcement; penalties

11 A. The Legislature of Louisiana recognizes that the right to vote is a right
12 that is essential to the effective operation of a democratic government. In order to
13 preserve the integrity of its election process, and to protect the right of citizens to
14 vote freely for the candidates of their choice, the state has a compelling interest in
15 establishing a zone securing polling locations against certain conduct and activities,
16 including voter intimidation, election fraud, confusion, and general disorder, that
17 would interfere with the exercise of the right to vote. The legislature, therefore,
18 enacts this Subsection to provide for a six hundred foot campaign-free zone around
19 polling places to provide to each voter such an environment in which to exercise his
20 right to vote. Except as otherwise specifically provided by law, it shall be unlawful

1 for any person, between the hours of 6:00 a.m. and 9:00 p.m., to perform or cause to
2 be performed any of the following acts within any polling place being used in an
3 election on election day or during early voting, or within a radius of six hundred feet
4 of the entrance to any polling place being used in an election on election day or
5 during early voting:

6 * * *

7 (2) To remain within any such polling place or within a radius of six hundred
8 feet of the entrance of any such polling place, except when exercising the right to
9 vote or engaging in other lawful activities, after having been directed by an election
10 commissioner, law enforcement officer, registrar, or deputy registrar to leave the
11 premises or area of a polling place.

12 * * *

13 C.(1) The provisions of this Section shall not be construed as prohibiting any
14 appointed election commissioner or any official watcher from remaining in and
15 about the polling place in which he was selected to serve.

16 (2) No person or entity shall be prohibited from engaging in activities within
17 the campaign-free zone that are not otherwise prohibited pursuant to this Section or
18 other provision of law.

19 * * *

20 Section 2. This Act shall become effective upon signature by the governor or, if not
21 signed by the governor, upon expiration of the time for bills to become law without signature
22 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
23 vetoed by the governor and subsequently approved by the legislature, this Act shall become
24 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 261 Original

2024 Regular Session

Willard

Abstract: Authorizes otherwise lawful activities within the 600-foot campaign-free zone around polling places.

Present law prohibits various campaigning activities in a polling place or within 600 feet of a polling place on election day or during early voting.

Present law provides that it is unlawful for any person to remain within any polling place or within a radius of 600 feet of the entrance of any polling place after having been directed by an election commissioner, law enforcement officer, registrar, or deputy registrar to leave the premises or area of a polling place, except when exercising the right to vote.

Proposed law retains present law and further provides an exception for any person engaging in other lawful activities.

Proposed law provides that no person or entity shall be prohibited from engaging in activities within the campaign-free zone that are not otherwise prohibited by law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 18:1462(A)(2) and (C))