

2024 Regular Session

SENATE BILL NO. 218

BY SENATOR KLEINPETER

VOTERS/VOTING. Provides relative to voting. (8/1/24)

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AN ACT

To amend and reenact R.S. 18:564(B)(5)(b), 1307(B)(1)(a)(i), 1309.3(B)(4)(b), and 1461.7(A)(6) and to enact R.S. 18:1307(J) and (K) and 1461.7(A)(7), relative to voting; to require certain information from persons assisting voters; to prohibit the distribution of unsolicited absentee by mail ballots; to provide for emergency procedure relative to distribution of absentee by mail ballot applications; to provide for election offenses; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:564(B)(5)(b), 1307(B)(1)(a)(i), 1309.3(B)(4)(b), and 1461.7(A)(6) are hereby amended and reenacted and R.S. 18:1307(J) and (K) and 1461.7(A)(7) are hereby enacted to read as follows:

§564. Assistance in voting on election day

* * *

B. Persons prohibited from assisting voters.

* * *

(5)(a)

* * *

(b) The commissioners shall write the voter's name in the precinct register

1 and write the name, **address, and relationship to the voter** of the person, including
 2 a commissioner, assisting the voter behind the tab for Assistance to Voters **and an**
 3 **attestation indicating whether the person, including a commissioner, assisting**
 4 **the voter was paid to provide assistance.** If the voter is not marked for assistance
 5 in voting in the precinct register the voter or the person, including a commissioner,
 6 assisting the voter shall check the box behind the tab for Assistance to Voters
 7 indicating that the voter has a physical disability or is unable to read. The person,
 8 including a commissioner, assisting the voter shall sign his name behind the tab for
 9 Assistance to Voters.

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11 §1307. Application by mail

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13 B.(1)(a)(i) An application to vote by mail may be delivered to the registrar
 14 by any means, including the United States Postal Service, commercial delivery
 15 service, hand delivery, or facsimile. **Other than an employee of the United States**
 16 **Postal Service or a commercial courier, no person shall deliver more than one**
 17 **voter's application for an absentee by mail ballot by any means, except the**
 18 **immediate family member of a voter.**

19 * * *

20 **J. Except as otherwise authorized by law, no person, organization, or**
 21 **entity shall distribute an application form for an absentee by mail ballot to any**
 22 **person who has not requested the application under the provisions of this**
 23 **Section.**

24 **K.(1) If a gubernatorially declared state of disaster or emergency occurs**
 25 **within forty-five days of an election, the secretary of state shall determine if the**
 26 **distribution of absentee by mail ballot applications is necessary for voters**
 27 **displaced by the gubernatorially declared state of disaster or emergency.**

28 **(2) Upon the determination by the secretary of state of the need for the**
 29 **limited distribution of absentee by mail ballot applications, the secretary shall**

and relationship to the voter receiving assistance of the person assisting the voter and if the person providing assistance was paid to do so.

Present law provides that an application to vote by mail may be delivered to the registrar of voters by any means, including the United States Postal Service, commercial delivery service, hand delivery, or facsimile.

Proposed law retains present law and further provides that other than an employee of the United States Postal Service or a commercial courier no person, except the immediate family member of a voter, shall deliver more than one voter's application for an absentee by mail ballot by any means.

Proposed law further provides that except as otherwise authorized by law, no person, organization, or entity shall distribute an application form for an absentee by mail ballot to any person who has not requested the application under the provisions of present law.

Proposed law further provides that if a gubernatorially declared state of disaster or emergency occurs within forty-five days of an election, the secretary of state shall determine if the distribution of absentee by mail ballot applications is necessary for voters displaced by the gubernatorially declared state of disaster or emergency.

Proposed law further provides that upon the determination by the secretary of state of the need for the limited distribution of absentee by mail ballot applications as a result of a gubernatorially declared state of disaster or emergency, the secretary shall provide notice to the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs within ten days of the distribution.

Present law requires the registrar or deputy registrar to write the name of a voter receiving assistance during early voting in the precinct register or early voting list kept by the registrar and the name of the person assisting the voter behind the tab for Assistance to Voters and for the person assisting the voter, including a registrar or deputy registrar, to sign his name behind the tab for Assistance to Voters.

Proposed law retains present law and further requires the registrar or deputy registrar to write the address and relationship to the voter of the person providing assistance behind the tab for Assistance to Voters and attest whether the person providing assistance was paid to do so.

Present law provides that the breach of any mandatory provision of present law relative to the conduct of elections is considered an election offense and is punishable by law.

Proposed law retains present law and further provides that facilitation of the distribution and collection of absentee by mail ballot applications for more than one person other than an immediate family member is also an election offense punishable by law.

Effective August 1, 2024.

(Amends R.S. 18:564(B)(5)(b), 1307(B)(1)(a)(i), 1309.3(B)(4)(b), and 1461.7(A)(6); adds R.S. 18:1307(J) and (K) and 1461.7(A)(7))