

2024 Regular Session

HOUSE BILL NO. 962 (Substitute for House Bill No. 499 by Representative Billings)

BY REPRESENTATIVE BILLINGS

ELECTIONS/ABSENTEE VOTE: Provides relative to the preparation, verification, tabulation, and counting of absentee by mail and early voting ballots

1 AN ACT

2 To amend and reenact R.S. 18:423(I), 1302(2), 1313(B) and (E), and 1313.1(B) and (E),
3 relative to the meetings of the parish board of election supervisors; to provide for
4 notice of meetings; to provide for the preparation, verification, tabulation, and
5 counting of absentee by mail and early voting ballots; to provide for the preparation,
6 verification, tabulation, and counting process without a majority of parish board of
7 election supervisors present; to provide for the selection of parish board
8 commissioners to provide assistance; to provide for the authorization of the
9 commissioner of elections; to prohibit the recording or broadcasting of the
10 preparation, verification, tabulation, and counting process; and to provide for related
11 matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 18:423(I), 1302(2), 1313(B) and (E), and 1313.1(B) and (E) are
14 hereby amended and reenacted to read as follows:

15 §423. Parish boards of election supervisors

16 * * *

17 I. Meetings. Each parish board of election supervisors shall conduct its
18 business in the presence of a quorum. All members of the board must be given
19 actual notice of all board meetings no later than twenty-four hours, exclusive of
20 Saturdays, Sundays, and legal holidays, before each meeting.

21 * * *

1 §1302. Definitions

2 As used in this Chapter, unless the context clearly indicates otherwise, the
3 following terms shall have the meanings hereafter ascribed to each:

4 * * *

5 (2) "Board" means the parish board of election supervisors of each parish.
6 If parish board commissioners are utilized by the parish board of election supervisors
7 to count and tabulate absentee by mail and early voting ballots, the term "board" for
8 the purposes of R.S. 18:1306, 1311, 1312, 1313, 1313.1, 1315, and 1316 shall also
9 mean the parish board commissioners providing assistance.

10 * * *

11 §1313. Tabulation and counting of absentee by mail and early voting ballots

12 * * *

13 B.(1) The parish board of election supervisors shall be responsible for the
14 preparation, verification, counting, and tabulation of all absentee by mail and early
15 voting ballots in the parish. The board may utilize parish board commissioners to
16 count the absentee by mail and early voting ballots in the parish. If the board
17 determines that parish board commissioners are necessary to prepare, verify, count
18 and tabulate the absentee by mail and early voting ballots, it shall select parish board
19 commissioners in accordance with the provisions of R.S. 18:1314. ~~If a majority of~~
20 ~~the members of the board are not present to count the absentee by mail and early~~
21 ~~voting ballots and no parish board commissioners were previously selected, the~~
22 ~~members present may select a sufficient number of parish board commissioners on~~
23 ~~election day to assist in the counting of absentee by mail and early voting ballots.~~

24 (2) If an insufficient number of parish board commissioners was selected
25 pursuant to R.S. 18:1314 to count the absentee by mail and early voting ballots, the
26 board, through the registrar of voters, shall request approval from the commissioner
27 of elections to select a sufficient number of parish board commissioners on election
28 day to assist in the counting of the ballots.

29 * * *

an alternate designee or appointee, the board shall, through the registrar of voters, so inform the commissioner of elections and request approval from the commissioner of elections for the appointment of a parish board commissioner to serve as a board member. The board shall receive approval of the commissioner of elections before proceeding with the preparation and verification process without a majority present.

Proposed law also provides that if an insufficient number of parish board commissioners were previously selected for the preparation and verification process or to count the absentee by mail and early voting ballots, the board, through the registrar of voters, may request approval from the commissioner of election to select a sufficient number of parish board commissioners three days before the election or on election day, as applicable, to assist in the preparation and verification process for the tabulation and counting of absentee by mail and early voting ballots and the tabulation and counting of the ballots.

Present law (R.S. 18:1313(E) and 1313.1(E)) authorizes candidates, their representatives, and qualified electors to be present during the preparation, verification, counting, and tabulation of absentee by mail and early voting ballots. If the counting and tabulation of ballots begin prior to the closing of the polls, the board shall inform any person who wants to be present during the preparation, verification, counting, and tabulation that no person will be allowed to leave or to communicate with any other person outside, until such time as the polls are closed. Further prohibits a person who is present from possessing a cellular telephone or electronic communication device.

Proposed law further prohibits the possession of an electronic recording device during preparation, verification, counting, and tabulation and provides that the process shall not be video, audio, or tape recorded, filmed, or broadcast live.

(Amends R.S. 18:423(I), 1302(2), 1313(B) and (E), and 1313.1(B) and (E))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Prohibit the possession of an electronic recording device during preparation, verification, counting, and tabulation and provides that the process shall not be video, audio, or tape recorded, filmed, or broadcast live.