

2024 Regular Session

HOUSE BILL NO. 677

BY REPRESENTATIVE BEAULLIEU

1 AN ACT

2 To amend and reenact R.S. 18:110(D), 154(F)(3), 173(D), 193(A) and (E), 423(H)(2),
3 434(F), 494(A), 512(C), 572(A)(1) and (2)(a), 574(E)(1), 1259(B)(2)(b), (4), and (6),
4 1280.21(C), 1406(C), the heading of Part VIII of Chapter 11 of Title 18 of the
5 Louisiana Revised Statutes of 1950, 1551, 1553, 1554, and 1555(B), and R.S.
6 26:584(B)(4), to enact R.S. 18:154(F)(8), and to repeal R.S. 18:154(G) and 173(B),
7 relative to the revision of the system of laws providing for elections; to make
8 revisions to the Louisiana Election Code; to provide for statements requesting
9 cancellation of voter registration; to provide for the disclosure of an application to
10 vote absentee by mail and related information; to provide for the disclosure of voided
11 votes; to provide for the cancellation of voter registration; to provide for notification
12 of deaths for purposes of cancellation of voter registration; to provide for the
13 qualification of a commissioner removed for cause; to provide for objections to
14 candidacy; to provide for the timing for an election following a tie vote in a general
15 election; to provide for the transmission of documentation to the secretary of state
16 following an election; to provide for the promulgation of returns; to provide for the
17 timing for notifications provided by the state central committee of a recognized
18 political party; to provide for the Campaign Finance Disclosure Act; to provide for
19 the disbursement of the surplus campaign contributions of a deceased candidate; to
20 provide relative to local option elections; to provide for the language required on a
21 petition for a local option election; and to provide for related matters.

1 Be it enacted by the Legislature of Louisiana:

2 Section 1. R.S. 18:110(D), 154(F)(3), 173(D), 193(A) and (E), 423(H)(2), 434(F),
3 494(A), 512(C), 572(A)(1) and (2)(a), 574(E)(1), 1259(B)(2)(b), (4), and (6), 1280.21(C),
4 1406(C), the heading of Part VIII of Chapter 11 of Title 18 of the Louisiana Revised Statutes
5 of 1950, 1551, 1553, 1554, and 1555(B) and are hereby amended and reenacted and R.S.
6 18:154(F)(8) is hereby enacted to read as follows:

7 §110. Removal from precinct; removal from parish

8 * * *

9 D. Any registrant may have his name cancelled from the file of eligible
10 voters by filing a signed written statement of such request with the registrar of voters
11 for the parish in which he is registered.

12 * * *

13 §154. Records open to inspection; copying; exceptions

14 * * *

15 F. Notwithstanding any provision of this Section to the contrary, the
16 registrar, the clerk of court, and the Department of State shall be prohibited from
17 disclosing the following:

18 * * *

19 (3) An application to vote absentee by mail, ~~or~~ information contained
20 therein, or the status of a voted ballot until the applicant has returned his voted ballot
21 to the registrar and the registrar has accepted the voted ballot.

22 * * *

23 (8) Votes that are void because of the death of a candidate pursuant to R.S.
24 18:410.6 and 469, withdrawal of a candidate pursuant to R.S. 18:502, resignation of
25 a public officer subject to a recall election pursuant to R.S. 18:1300.7, or
26 disqualification of a candidate pursuant to R.S. 18:1410.

27 * * *

28 §173. Deaths

29 * * *

1 D. The registrar of voters shall search obituaries for deceased persons whose
 2 registrations were not canceled. The registrar of voters shall use information from
 3 an obituary notice to cancel a deceased voter's registration if the notice provides
 4 sufficient information to properly identify the voter ~~and the registrar has confirmed~~
 5 ~~the voter's death with the office of vital records.~~

6 * * *

7 §193. Challenge and cancellation of registration; notice; procedures

8 A. When the registrar has reason to believe that a registrant no longer is
 9 qualified to be registered, or that a registrant has changed his residence, he shall
 10 immediately notify the person by sending the address confirmation ~~card~~ notice to the
 11 registrant and place the voter on the inactive list of voters. However, a person shall
 12 not be placed on the inactive list of voters if there is address information available
 13 to the registrar from the United States Postal Service or its licensee which indicates
 14 the voter has moved to another address within the parish.

15 * * *

16 E. A voter on the inactive list of voters who fails to respond to the address
 17 confirmation notice shall remain on the inactive list of voters until his address is
 18 confirmed in accordance with the procedures set forth in R.S. 18:196 or not later than
 19 a period of two regularly scheduled federal general elections, at which time the
 20 ~~registrar~~ Department of State shall cancel the voter's registration.

21 * * *

22 §423. Parish boards of election supervisors

23 * * *

24 H. Designees.

25 * * *

26 (2) For each day of service, the designee or alternate designee of the
 27 chairman of the parish executive committee, the designee or alternate designee of the
 28 chairman of the state central committee, and the member or alternate member ~~of~~
 29 appointed by the governor shall be paid the same compensation as a member or
 30 appointee, and the designating member or appointee shall not be compensated for

1 that day. Any compensation paid to the designee or alternate designee of the
 2 chairman of the parish executive committee, designee or alternate designee of the
 3 chairman of the state central committee, or member or alternate member appointed
 4 by the governor shall be counted against the compensation of the designating
 5 member or governor's member, which shall not exceed the number of days as
 6 provided in Subsection E of this Section.

* * *

8 §434. Commissioners and alternate commissioners; selection; commission;
 9 disqualification; replacement

* * *

11 F. Removal for cause. Any commissioner selected under the provisions of
 12 this Section may be removed for cause by the parish board of election supervisors
 13 at any time after his selection and before the closing of the polls on election day. Any
 14 commissioner removed for cause under the provisions of this Subsection shall not
 15 serve as a commissioner in any election ~~for twelve months~~ after his removal.

* * *

17 §494. Effect of sustaining an objection to candidacy

18 A. Disqualification. ~~When~~ Except as provided in Subsection B of this
 19 Section, when an objection to candidacy is sustained on ~~the ground that the~~
 20 ~~defendant failed to qualify for the primary election in the manner prescribed by law,~~
 21 ~~that the defendant failed to qualify for the primary election within the time~~
 22 ~~prescribed by law, or that the defendant does not meet the qualifications for the~~
 23 ~~office he seeks, any of the grounds provided for in R.S. 18:492, the final judgment~~
 24 shall disqualify the defendant as a candidate in the primary election for ~~the office for~~
 25 ~~which he failed to qualify properly.~~ that office.

* * *

27 §512. Election of candidates in a general election

* * *

29 C. Effect of a tie vote. If, as a result of a tie vote in a general election, the
 30 number of candidates who would be elected to an office exceeds the number of

1 persons to be elected to the office, the candidates who received the same number of
 2 votes for that office in the general election are not elected. The election for officers
 3 thus not elected shall be returned to the people on the ~~third Saturday after the date~~
 4 ~~on which the results in the election at which the tie vote occurred were promulgated~~
 5 fourth Saturday after the election date at which the tie vote occurred.

* * *

7 §572. Transmission of election returns; voting machine keys; machine certificates

8 A.(1) After the results are printed from the voting machines and all election
 9 paperwork is complete, the commissioner-in-charge shall immediately:

10 ~~(a) Mail to the secretary of state the envelope marked "Secretary of State's~~
 11 ~~Envelope".~~

12 ~~(b) Deliver~~ deliver to the clerk of court in a clear plastic zipper bag the
 13 following:

14 (a) The envelope marked "Secretary of State's Envelope".

15 ~~(i)~~ (b) The completed and signed key envelope for the voting machines.

16 ~~(ii)~~ (c) The original of the machine certificates.

17 ~~(iii)~~ (d) The original affidavit of payroll and nondisclosure for the
 18 commissioners.

19 ~~(iv)~~ (e) One copy of the official election results report from the voting
 20 machines.

21 ~~(v)~~ (f) A copy of each completed notation of irregularities form.

22 ~~(vi)~~ (g) All election result cartridges, if applicable.

23 ~~(vii)~~ (h) For a federal election, the return provisional ballot envelope
 24 containing all voted provisional ballots and unused provisional ballots and
 25 envelopes.

26 ~~(viii)~~ (i) A duplicate record of each challenge.

27 (2)(a) Upon receipt of the items listed in ~~Subparagraph (1)(b)~~ Paragraph (1)
 28 of this Subsection, the clerk of court shall affix the time of receipt upon the election

1 documents which contain election results. The clerk of court shall make a copy of
2 the election results available to the press and public.

3 * * *

4 §574. Compilation and promulgation of returns

5 * * *

6 E.(1) On or before the fourteenth day after the primary or general election,
7 if no action has been timely filed contesting the election to the office of a state
8 candidate, the secretary of state shall promulgate the returns for state candidates,
9 proposed constitutional amendments, and recall elections by publishing in the
10 official journal of the state the names of the state candidates for each office in the
11 election, the text of the proposed constitutional amendment, and recall elections and
12 the number of votes received by each such candidate, proposed constitutional
13 amendment, and recall elections as shown by the returns transmitted by the clerks
14 of court from the compiled statements by the parish boards of election supervisors.
15 In a parish containing a municipality with a population of three hundred thousand or
16 more, the promulgation shall be from the returns transmitted by the parish board of
17 election supervisors. On or before the fourteenth day after the primary or general
18 election, if no action has been timely filed contesting the election to office of a
19 candidate other than a state candidate, the secretary of state shall promulgate the
20 returns for the election for candidates other than state candidates by ~~transmitting to~~
21 ~~the clerk of court for the parish wherein the state capital is located~~ publishing on the
22 secretary of state's website a notice containing the results of the elections for
23 candidates other than state candidates. ~~The clerk of court shall post this notice in a~~
24 ~~prominent place in his office.~~

25 * * *

26 §1259. Arrangement of ballot; designation of party candidates

27 * * *

28 B.

29 * * *

1 (2) Directly to the left of the names of the presidential and vice presidential
2 candidates shall appear:

3 * * *

4 (b) If nominated by a nominating petition or by the filing of notices of
5 candidacy, the political ~~principal~~ principle which the candidates support, as stated
6 on the nominating petition or on the notices of candidacy, if any, and the words
7 "Nominating Petition" or the abbreviation "Nom. Petition" shall appear if nominated
8 by petition.

9 * * *

10 (4) Immediately below the word "Electors" the names of the presidential
11 electors nominated in support of the nominees for president and vice president of that
12 party or political ~~principal~~ principle shall appear.

13 * * *

14 (6) In preparing the ballots, the secretary of state shall arrange the names of
15 the candidates of recognized political parties alphabetically, according to the names
16 of the parties, followed by the names of the candidates nominated by nominating
17 petitions and by the filing of notices of candidacy, listed alphabetically by
18 designation of political ~~principal~~ principle.

19 * * *

20 §1280.21. Presidential preference primary election

21 * * *

22 C. The state central committee shall notify the Department of State that its
23 bylaws allow for such voting by non-affiliated electors no later than ~~seven~~ sixty days
24 prior to the opening of qualifying for the presidential preference primary. Such
25 notification shall be considered valid and effective for subsequent presidential
26 preference primaries unless the state central committee notifies the Department of
27 State that its bylaws no longer allow for such voting by non-affiliated electors no
28 later than ~~seven~~ sixty days prior to the opening of qualifying for a presidential
29 preference primary.

30 * * *

1 §1406. Petition; answer; notification

2 * * *

3 C. The defendant shall be served with citation directing him to appear in
4 court no later than 10:00 a.m. on the fourth day after suit was filed, subject, however,
5 to the provisions of ~~R.S. 18:1408(D)~~ R.S. 18:1408. The defendant is not required to
6 answer the petition, but if he answers, he shall do so prior to trial.

7 * * *

8 PART VIII. SPECIAL PROVISIONS FOR DECEASED

9 CANDIDATES ~~WITH DEFICITS~~

10 §1551. Exception

11 Notwithstanding any contrary provision of this Chapter, the provisions of this
12 Part shall apply to ~~circumstances existing~~ when a candidate dies leaving a deficit or
13 surplus which would have otherwise required reports to be filed if the candidate were
14 not deceased.

15 * * *

16 §1553. Reports; contents; due dates

17 The reports shall be filed at the same time, shall contain the same
18 information, and shall be certified correct in the same manner as reports required by
19 this Chapter for candidates ~~with deficits~~.

20 §1554. Contribution limitations; excess funds

21 A. Notwithstanding the provisions of R.S. 18:1505.2(H), the contribution
22 limit for contributions to a deceased candidate who has a deficit, or the principal
23 campaign committee of such a deceased candidate, shall be ten thousand dollars per
24 calendar year until there is no deficit.

25 B. Any contributions received in excess of the deficit shall be returned to the
26 contributors on a pro rata basis.

27 C. Excess funds in the campaign account of a deceased candidate who dies
28 leaving a surplus shall be expended as provided in R.S. 18:1505.2(I) within two
29 years of the candidate's death.

1 §1555. Penalties

2 * * *

3 B. If a violation of ~~this Part~~ R.S. 18:1554 occurs, the supervisory committee
4 shall notify the personal representative of the deceased candidate that each
5 contribution received after the violation shall be returned to the contributor and that
6 no further contributions, except contributions from a family member of the deceased
7 candidate, may be solicited or received to resolve the deficit. For purposes of this
8 Subsection, "family member" shall mean the spouse of the deceased, children of the
9 deceased and their spouses, parents of the deceased, parents of the spouse of the
10 deceased, grandparents of the deceased, siblings of the deceased and their spouses,
11 and siblings of the parents of the deceased and their spouses.

12 Section 2. R.S. 26:584(B)(4) is hereby amended and reenacted to read as follows:

13 §584. Form of petition for election

14 * * *

15 B. The petition shall then list all of the following five propositions:

16 "(1) Shall the sale of beverages of alcoholic content containing not more than
17 six percent alcohol by volume be permitted by package only and not for consumption
18 on the premises?"

19 "(2) Shall the sale of beverages of alcoholic content containing not more than
20 six percent alcohol by volume for consumption on the premises be permitted?"

21 "(3) Shall the sale of beverage alcohol containing one-half of one percent
22 alcohol by volume and above for consumption on the premises be permitted?"

23 "(4) Shall the sale of beverages of alcoholic content containing one-half of
24 one percent alcohol by volume and above ~~be permitted~~ by the package only and not
25 for consumption on the premises be permitted?"

26 "(5) Shall the sale of beverages of high and low alcoholic content be
27 permitted only on the premises of restaurant establishments which have been issued
28 an "R" permit as defined by law?"

29 * * *

1 Section 3. R.S. 18:154(G) and 173(B) are hereby repealed in their entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____