

ACT No. 386

2025 Regular Session

HOUSE BILL NO. 592

BY REPRESENTATIVE BEAULLIEU

1 AN ACT

2 To amend and reenact R.S. 18:2(4), 18(D), 25(B), 104(C)(1)(introductory paragraph),

3 108(A) and (C), 111, 154(C)(2)(e), 192(A)(1) and (2), 401.2(A) and (B)(introductory

4 paragraph), (1), (2), and (3), 402(A)(1), (D), (E)(1)(introductory paragraph), and

5 (G)(1), 410.1 through 410.3, 410.4(B), 410.5(A), 410.6(B)(1) and (2), 410.7, 410.8,

6 410.9(A), 425.1, 426(A) and (B), 434(A)(introductory paragraph) and (1),

7 435(A)(4)(b) and (c) and (B)(1), 501(A)(1), (B)(1), and (C), 531(B), 533(A)(2) and

8 (B)(1), 534(A) and (B)(1) and (2)(a), 551(B), (C)(1)(c)(i) and (2), and (D),

9 553(E)(2), 571(A)(8), 573(E)(1) and (4), 1259(B)(6) and (C), 1279, 1280.21(B),

10 1284(F)(1), 1285(B)(1)(a), 1286.1, 1299.1, 1300(C)(1), 1300.2(C)(2)(b), 1300.7(A),

11 1300.11, 1306(E)(1)(f), 1307(E), 1309(D)(1)(c) and (d) and (2), (E)(1), (H), and

12 (N)(2), (5), and (7), 1309.1(A), 1313(F), (H)(3), and (K)(1), 1313.1(F), (I)(2), and

13 (L)(1), 1315(D)(1), 1333(D)(2) and (E), 1362.1(L), 1363(A)(3) and (4), 1405(C),

14 1462(F), 1501.3(C)(introductory paragraph), Section 2 of Act No. 1 of the 2024 First

15 Extraordinary Session of the Legislature, and Section 5 of Act No. 640 of the 2024

16 Regular Session of the Legislature, to enact R.S. 18:2(20) and (21), 401.1(H), Part

17 IV of Chapter 6 of Title 18 of the Louisiana Revised Statutes of 1950, to be

18 comprised of R.S. 18:1280.31, 1284.1, 1286(C), 1307(L), 1310(E) and (F),

19 1333(D)(3), 1409(K), and 1461.7(E), and to repeal R.S. 18:1280.21(C) and (D),

20 1280.21.1, 1371(A)(2)(c), and Section 2 of Act No. 640 of the 2024 Regular Session

21 of the Legislature, relative to the revision of the system of laws providing for

22 elections; to make revisions to the Louisiana Election Code; to provide for

23 agreements for sharing voter registration information; to provide for the annual

24 report of the State Board of Election Supervisors; to provide for affidavits and

25 attestations; to provide for the reinstatement of voter registration; to provide for

1 name changes; to provide for address data in connection with the annual canvass of
2 registered voters; to provide for the effectiveness of a change in voter registration;
3 to provide for duties of the clerk of court; to provide for perjury for false statements
4 made in an attestation and criminal penalties therefore; to provide for polling places
5 during a state of emergency; to provide for consolidation of polling places; to
6 provide for election dates and the calculation of days related thereto; to provide for
7 commissioner qualifications and selection; to provide for alternate political party
8 super watchers; to provide for ballot arrangement; to provide for voting in the
9 presidential preference primary election; to provide for testing of voting machines;
10 to provide for replacement absentee by mail ballots; to provide for tabulation and
11 counting of absentee by mail and early voting ballots; to provide for the validity of
12 ballots deemed challenged; to provide for address confirmation for nursing home
13 early voting program participants; to provide for the allocation of voting machines;
14 to provide for the requirements of the secretary of state related to an objection to
15 candidacy; to provide for actions contesting an election on a proposed constitutional
16 amendment; to provide for the preparation of a question or proposition to be
17 submitted to voters; to provide for the filling of vacancies in closed party primary
18 offices; to provide for emergency elections; to provide for closed party primary
19 ballot selection by an unaffiliated voter; to provide for procedural requirements as
20 they relate to closed party primary elections; to provide for the effectiveness of Act
21 No. 1 of the 2024 First Extraordinary Session of the Legislature and Act No. 640 of
22 the 2024 Regular Session of the Legislature and specific provisions thereof; to
23 provide for definitions; to correct terminology; and to provide for related matters.

24 Be it enacted by the Legislature of Louisiana:

25 Section 1. R.S. 18:2(4), 18(D), 25(B), 104(C)(1)(introductory paragraph), 108(A)
26 and (C), 111, 154(C)(2)(e), 192(A)(1) and (2), 401.2(A) and (B)(introductory paragraph),
27 (1), (2), and (3), 402(E)(1)(introductory paragraph), and (G)(1), 425.1, 426(A) and (B),
28 434(A)(introductory paragraph) and (1), 435(A)(4)(b) and (c), 531(B), 533(A)(2) and (B)(1),
29 534(A) and (B)(1) and (2)(a), 553(E)(2), 571(A)(8), 573(E)(1) and (4), 1259(B)(6) and (C),
30 1280.21(B), 1284(F)(1), 1285(B)(1)(a), 1286.1, 1299.1, 1300(C)(1), 1300.2(C)(2)(b),

1 1300.7(A), 1300.11, 1306(E)(1)(f), 1309(D)(1)(c) and (d) and (2), (E)(1), (H), and (N)(2),
2 1309.1(A), 1313(F), (H)(3), and (K)(1), 1313.1(F), (I)(2), and (L)(1), 1315(D)(1),
3 1333(D)(2) and (E), 1362.1(L), 1363(A)(3) and (4), 1405(C), 1462(F), and
4 1501.3(C)(introductory paragraph) are hereby amended and reenacted and R.S. 18:2(20) and
5 (21), Part IV of Chapter 6 of Title 18 of the Louisiana Revised Statutes of 1950, comprised
6 of R.S. 18:1280.31, 1284.1, 1286(C), 1310(E), 1333(D)(3), 1409(K), and 1461.7(E) are
7 hereby enacted to read as follows:

8 §2. Definitions

9 As used in this Code, the following words and terms shall have the meanings
10 hereinafter ascribed to each, unless the context clearly indicates another meaning:

11 * * *

12 (4) "Immediate family" means the individual's children, the spouses of his
13 children, his brothers and their spouses, his sisters and their spouses, his parents, his
14 spouse, ~~and the parents of his spouse,~~ his grandparents, and his grandchildren.

15 * * *

16 (20) "Affidavit" means an oath or affirmation signed by the affiant before
17 a notary public, or before a commissioner-in-charge, commissioner, registrar of
18 voters, deputy registrar of voters, early voting commissioner, or secretary of state
19 election staff, as specifically required in this Code.

20 (21) "Attestation" means an oath or affirmation signed by the person making
21 the oath or affirmation.

22 * * *

23 §18. Secretary of state; powers and duties

24 * * *

25 D. The secretary of state may enter into cooperative agreements with other
26 states or ~~the Electronic Registration Information Center~~ written agreements with
27 state and federal governmental agencies and private vendors that provide voter
28 registration eligibility or address data to share voter registration information or data
29 for purposes of ~~determining whether a voter is registered in more than one state and~~
30 ~~for the~~ voter list maintenance of the state voter registration computer system. The

secretary of state shall include in any such cooperative agreement a provision for the privacy of the information or data that complies fully with applicable state and federal law.

* * *

§25. Annual reports

* * *

B. The board shall annually report to the House and Governmental Affairs Committee of the House of Representatives and the Senate and Governmental Affairs Committee of the Senate its findings, observations, and recommendations concerning all aspects of elections in this state. The report shall be submitted no later than ~~January thirty-first each year~~ forty-five days prior to the start of each regular session of the legislature, and shall include but shall not be limited to the following subjects: election laws in general, registration procedures, election procedures, election officials, voting machines, tabulation and transmission of election returns, procedures used for casting and counting absentee by mail and early voting ballots, and any other aspect of elections the board deems appropriate.

* * *

§104. Application for registration; form

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C.(1) The form shall inform the applicant of the penalty for violation of applicable laws relating to registration of voters and shall contain an ~~affidavit~~ attestation to be subscribed, through a handwritten signature, attesting to each of the following:

* * *

§108. Prior registration; surrender of ~~certificate or~~ notice of registration before new registration; change of place of registration

A. If the registrant's application indicates that the applicant previously registered as a voter in any other parish, and if the previous ~~voter registration certificate or~~ notice of registration is available, then before making a new registration the registrar shall require the applicant to surrender his previous ~~certificate or~~ notice

1 for cancellation. The registrar shall promptly notify the registrar of the parish in
2 which the applicant has registered previously, through the statewide voter
3 registration system, of the present registration. The other registrar shall verify the
4 cancellation of the voter's registration in the other parish; however, the cancellation
5 shall not be made as long as the registrant has the right to vote in the parish of his
6 former residence as provided in R.S. 18:110(C).

7 * * *

8 C. For any voter whose registration has been canceled because the voter has
9 registered in another parish or in another state, if such voter makes application to
10 register in the parish in which he was previously registered to vote ~~within three years~~
11 ~~after the cancellation of his registration in that parish~~, and the registrar determines
12 that he is qualified to register to vote in that parish, the voter's information in the
13 statewide voter registration system from his previous registration shall be reinstated,
14 except that any necessary changes shall be made to such information, including but
15 not limited to the voter's new address, and he shall receive an updated ~~certificate or~~
16 notice of registration.

17 * * *

18 §111. Change of name or signature; married persons

19 A. In order to remain a legal registrant, a person who changes his name by
20 virtue of a judgment of court shall produce in the presence of or, if required, file with
21 the registrar or any person authorized to accept voter registration applications a
22 certified copy of the judgment, his Louisiana driver's license number, Louisiana
23 special identification card number, or social security number, or his ~~affidavit~~
24 attestation setting forth the pertinent facts containing the change of name.

25 B. A married ~~woman, at her option, person~~ may be registered ~~in her maiden~~
26 ~~name, her present husband's name,~~ using the surname of either or both spouses as a
27 surname, or in a hyphenated combination thereof. If divorced, widowed, or
28 remarried, ~~she~~ the applicant may be registered ~~in her maiden name~~ using his
29 surname, in the surname of ~~her~~ the deceased or former or present ~~husband~~ spouse,
30 or in a hyphenated combination thereof. ~~A change of name allowed by this~~

~~Subsection shall be made by producing in the presence of the~~ A person who changes
his name by virtue of marriage shall submit a voter registration application to the
 registrar or other person authorized to accept voter registration applications ~~her~~
~~affidavit stating~~ that contains the applicant's social security number, valid Louisiana
driver's license number or Louisiana special identification card number, or attestation
setting forth the name under which ~~she~~ the applicant desires to be registered as
 allowed by this Section.

C. If a registered voter, subsequent to his registration, is no longer capable
 of signing his name without using a mark, he shall file an ~~affidavit, meeting the~~
~~requirements of R.S. 18:200,~~ attestation with the registrar of voters attesting to that
 fact and stating the reason for such a change in signature.

* * *

§154. Records open to inspection; copying; exceptions

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C.

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(2)

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(e) The provisions of Paragraph (1) of this Subsection shall not apply to
 voter registration information or data transmitted to a state or ~~the Electronic~~
~~Registration Information Center~~ federal governmental agency or private vendor to
provide voter registration eligibility or address data pursuant to a written agreement
 for purposes of ~~determining whether a voter is registered to vote in more than one~~
~~state and for the~~ voter list maintenance of the state voter registration computer
 system.

* * *

§192. Annual canvass; costs

A.(1) No later than June thirtieth, the registrar of voters of each parish in
 conjunction with the Department of State shall annually canvass the names of the
 registrants in all precincts in the parish. Failure of the registrar to conduct an annual

1 canvass as provided in this Subsection shall constitute willful misconduct relating
2 to his official duty for the purposes of R.S. 18:53. The Department of State shall use
3 ~~the United States Postal Service or its licensee~~ address data obtained pursuant to a
4 written agreement from another state or federal governmental agency or private
5 vendor that provides voter registration eligibility or address data to verify the names
6 and addresses of the registrants in all precincts in the state. A verification ~~by the~~
7 ~~United States Postal Service or its licensee~~ of address data shall constitute a valid
8 canvass of the registered voter.

9 (2) In conducting the verification, if ~~the United States Postal Service or its~~
10 ~~licensee provides~~ the obtained address data indicates a corrected address, the
11 Department of State shall furnish the corrected address to the appropriate registrar
12 of voters. Upon receiving a corrected address inside the parish, either the
13 Department of State or the registrar of voters shall update the voter's address on the
14 statewide registration system and mail a new voter information card to the voter
15 using the corrected address provided and an address confirmation notice as provided
16 in R.S. 18:193. If the new voter information card using the corrected address is
17 returned to the registrar and the voter has failed to return the address confirmation
18 notice, the registrar shall consider the address not corrected. The registrar shall
19 change his records to reflect the prior address on file for that voter. If the corrected
20 address is outside of the parish, the registrar of voters shall not make the change on
21 his records and shall send an address confirmation notice as provided in R.S. 18:193.

22 * * *

23 §401.2. ~~Relocation of~~ Change to polling places; state of emergency

24 A. Notwithstanding the provisions of R.S. 18:~~425.1~~, 534, 535, 536, ~~and~~ 537,
25 1286, and 1286.1, if any polling place is determined by the clerk of court in
26 conjunction with the secretary of state to be destroyed, inaccessible, or unsafe due
27 to an emergency or common disaster occurring before or during a regularly
28 scheduled or special election, the secretary of state may issue a certification of a state
29 of emergency allowing the relocation, or other change, of any such polling place,
30 including consolidation of polling places or providing for multiple polling places in

a precinct, when such action would allow voting to continue without the necessity of the issuance of an executive order by the governor for a suspension or delay pursuant to R.S. 18:401.1(B). Upon issuance of such a certification, the clerk of court and the presiding officer of the parish governing authority shall ~~relocate~~ implement the necessary change for any such polling place. ~~The~~ If relocated, the polling place shall be relocated to the nearest feasible and accessible location as determined by the secretary of state, upon the recommendation of the clerk of court in conjunction with the presiding officer of the parish governing authority.

B. When a polling place is ~~relocated~~ changed pursuant to Subsection A of this Section, the clerk of court in conjunction with the secretary of state shall give adequate notice of the change of the location to each voter registered to vote at that polling place and to each candidate to be voted on at that polling place, if practicable, in the following manner:

(1) Each candidate shall be given immediate notice by telephone or by electronic means, and by certified mail where reasonable time exists, of the new location of any polling places that have been relocated.

(2) A sign shall be posted at any former polling place directing voters to the new location of the polling place, if applicable and practicable.

(3) An employee of the parish governing authority shall be stationed at any former polling place, if applicable and practicable, for the purpose of directing potential voters to the new location of the polling place. Such employee shall be required to take the constitutional oath or affirmation. The clerk of court shall administer the oath.

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§402. Dates of primary and general elections

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E. Special elections to fill newly created office or vacancy in office. An election to fill a newly created office or vacancy in an existing office, except the office of representative in congress, shall be held on the dates fixed by the appropriate authority in the proclamation ordering a special election as follows:

(1) A special primary election shall be held on the first of the following days that is after the date on which the proclamation calling the special primary election was issued, provided that the proclamation was issued at least four weeks prior to the opening of the qualifying period for the special primary election. If this deadline falls on a Saturday, Sunday, or legal holiday, then the deadline shall be the following day which is not a Saturday, Sunday, or legal holiday:

* * *

G. Prohibited days. (1) No election of any kind shall be held in this state on any of the days of Rosh Hashana, Yom Kippur, Sukkot, Shemini Atzeret, Simchat Torah, the first two days and the last two days of Passover, Shavuot, Tish'a B'Av, the two days preceding Labor Day, ~~or the three days preceding Easter, or the three days following Thanksgiving Day.~~ If the date of any election falls on any of the above-named days, the election shall be held on the same ~~weekday~~ day of the preceding week.

* * *

§425.1. Consolidation of polling places; reduction of voting machines and election officials

A. Notwithstanding the provisions of R.S. 18:424 and 425 or any other provision of law to the contrary, in an election, including the election of any public official, where ~~more than one polling place is within the same location~~ a single location serves as the polling place of more than one precinct, the parish board of election supervisors may consolidate the polling places in that location so that a single polling place may serve every precinct assigned to that location for that election and may reduce the number of voting machines to be used in the election below the number fixed by R.S. 18:1363 and, in such case, shall notify, in accordance with the time line provided in R.S. 18:1363(H), the parish custodian of voting machines and the secretary of state of the number of machines to be prepared and delivered ~~for the polling places so consolidated~~ to the location of the consolidated polling place.

B. When the parish board of election supervisors consolidates polling places as authorized by Subsection A of this Section, it shall appoint a commissioner-in-charge to serve at ~~each such~~ all precincts assigned to the consolidated polling place and may reduce to not less than two the number of commissioners and alternate commissioners to be appointed to serve at ~~each such polling place~~ the location of the consolidated polling place.

* * *

§426. Alternate commissioners; qualifications, powers, and duties; oath and compensation

A. Qualifications. ~~(1) A qualified voter who is not entitled to assistance in voting and is not a candidate in the election may be selected as an alternate commissioner in any precinct of the ward where he is registered to vote, except pursuant to R.S. 18:434(D) in which case he may be selected as a commissioner in any precinct of the parish where he is registered to vote or as otherwise provided in R.S. 18:425(A)(4).~~

~~(2)(a) No person shall be selected as a commissioner in a precinct in which a member of his immediate family is a candidate for election to public office.~~

~~(b) No person who has been convicted of an election offense enumerated in Chapter 10 of this Title shall be selected as an alternate commissioner.~~

~~(c) No person who is required to register as a sex offender or child predator pursuant to R.S. 15:542 may be selected as an alternate commissioner.~~

~~(3) A person shall not be selected as an alternate commissioner unless he has attended a course of instruction for commissioners, has received a certificate of instruction during the term of office of the clerk who conducted the course, and has provided his correct party affiliation to the clerk.~~

~~(4) A person who is at least seventeen years of age, under the age of eighteen, and is not a qualified voter but is otherwise qualified to serve as an alternate commissioner pursuant to this Subsection may be selected to serve as an alternate commissioner in any precinct of the ward where he may register to vote pursuant to R.S. 18:101(A), provided that the person is enrolled in the twelfth grade~~

~~of any Louisiana public high school or state-approved nonpublic high school or is participating at the twelfth grade level in a home study program approved by the State Board of Elementary and Secondary Education. An alternate commissioner shall meet the same qualifications of a commissioner as provided in R.S. 18:425(B).~~

B. Powers and duties. An alternate commissioner who replaces an absent or unqualified commissioner shall have the same powers and duties and shall possess the same qualifications as a commissioner. ~~An alternate commissioner who does not replace a commissioner shall have the same powers and duties as a watcher.~~

* * *

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

A. ~~Time and place of~~ Meeting to conduct selection. (1) The parish board of election supervisors shall meet ~~at 10:00 a.m. on the twenty-ninth day before a primary election~~ on the second day after the close of the registration records provided in R.S. 18:135(A) to select the commissioners and alternate commissioners for each precinct. However, if the deadline for the close of the registration records provided in R.S. 18:135(A)(1) is moved due to a legal holiday, the meeting to select commissioners and alternate commissioners for each precinct shall be moved to the day after the close of the registration records. If the second day after the close of the registration records falls on a legal holiday, the board shall select commissioners and alternate commissioners on the first day after such holiday that is not a Saturday, Sunday, or other legal holiday. The meeting shall be open to the public. The board shall have previously posted a notice on the front courthouse door designating the location within the courthouse where the meeting is to be held.

* * *

§435. Watchers; appointment and commission

A.

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(4)

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(b)(i) In a parish with fewer than fifty thousand registered voters, the parish executive committee of the recognized political party may designate one political party super watcher and one alternate political party super watcher.

(ii) In a parish with fifty thousand or more but fewer than one hundred thousand registered voters, the parish executive committee of the recognized political party may designate two political party super watchers and two alternate political party super watchers.

(iii) In a parish with one hundred thousand or more but fewer than one hundred fifty thousand registered voters, the parish executive committee of the recognized political party may designate three political party super watchers and three alternate political party super watchers.

(iv) In a parish with one hundred fifty thousand or more but fewer than two hundred thousand registered voters, the parish executive committee of the recognized political party may designate four political party super watchers and four alternate political party super watchers.

(v) In a parish with two hundred thousand or more registered voters, the parish executive committee of the recognized political party may designate five political party super watchers and five alternate political party super watchers.

(c) Each political party super watcher shall have the qualifications, powers, and duties of watchers provided for by R.S. 18:427 and shall be admitted as a watcher in every precinct in the designated parish where a candidate affiliated with his political party is on the ballot, except that not more than one political party super watcher may serve at a single precinct at the same time. Both a political party super watcher and an alternate political party super watcher may serve on election day, except that the political party super watcher and alternate political party super watcher may not serve at the same time and no more political party super watchers and alternate political party super watchers may serve at one time than the number of political party super watchers allowed in Subparagraph (b) of this Paragraph.

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§531. Places for voting in primary and general elections

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B. Notwithstanding the provisions of any law to the contrary, whenever the polling place to which a voter is assigned is inaccessible to him by reason of a physical disability, the voter may cast his vote at the polling place nearest the precinct at which he is registered which is accessible to the voter, provided such polling place is within the same congressional, senatorial, representative, school board, police jury, councilmanic and all other districts as the precinct at which he is registered. To be permitted to cast his vote at another precinct polling place, the voter, not less than ten days before the election, shall produce satisfactory evidence of his disability to the registrar of voters in the parish in which he is registered. If, in the opinion of the registrar, the voter, due to the physical disability, is unable to cast his vote at the polling place for the precinct in which he is registered, the registrar shall issue to the voter special authorization to cast his vote at another specifically named precinct polling place as provided in this Section and shall transfer the registration certificate of such voter to that precinct. The authorization so issued shall be shown by the voter to the commissioners at the polling place. The right of a voter to cast his vote in a precinct within the ward and district other than the one in which he is registered shall remain effective for subsequent elections until the voter no longer is in need of the right to vote in another precinct. The voter shall notify the registrar of voters immediately if for any reason such need no longer exists.

* * *

§533. Establishment and location of polling places; responsibility for acts or omissions

A. Establishment.

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(2) The parish governing authority shall, to the extent possible, locate the polling place of multiple precincts in a the same polling location, if it determines after due consideration that to locate ~~multiple polling places~~ the polling places of

multiple precincts within the same polling location would be efficient, cost-effective, and convenient to voters.

B. Location. (1) Except as otherwise provided in this Subsection, the polling place for a precinct shall be located in the precinct in a suitable public building and all public bodies are hereby required to allow the use of public buildings as ~~voting precincts~~ polling places without cost or charge when the parish governing authority requires it. If no public building is available, then a ~~precinct~~ polling place may be located on private property. The parish governing authority shall inform the secretary of state as to whether the parish polling places are located in public buildings or on private property.

* * *

§534. Change of polling places

A. Once the location of a polling place is established, it may only be changed by a vote of the parish governing authority.

B.(1) The location of a polling place shall not be changed during the period commencing on the date the qualifying period opens and ending on the date of the general election or, in the case of an election date exclusively for bond, tax, or other propositions or questions, during the period commencing on the forty-sixth day prior to the election and ending on the day of the election unless the ~~polling place~~ location becomes unavailable due to an emergency caused by an act of God or when privately owned property being used as a polling place becomes unavailable through no fault of the governing authority.

(2)(a) Notwithstanding the provisions of Subsection A of this Section, if the locations of a polling place becomes unavailable during the period defined in and due to the reasons provided in Paragraph (1) of this Subsection, the parish president may change the location of the polling place. The parish president shall submit written notice of the change as soon as practicable to the secretary of state.

* * *

§553. Inspection and preparation of voting machines at polling places; precinct registers and supplemental list

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E. Maintenance of precinct registers on election day.

* * *

(2) For each name appearing on the list, the commissioners shall write "voted ~~by mail~~ absentee" in the place where the voter usually signs the precinct register and initial the precinct register adjacent thereto.

* * *

§571. Procedures for commissioners after termination of voting

A. At the termination of voting in a primary or general election, the commissioners shall announce that voting is terminated. The commissioners in the presence of the watchers shall immediately:

* * *

(8) Place one copy of the official election results reports, one copy of the machine certificates, one of the duplicate poll lists, all original executed challenges of voters, all precinct register corrections, all voter identification affidavits, all ~~physical disability affidavits~~ voter assistance forms, any physicians' certificates, any copies of disability documentation, a copy of each completed notation of irregularities form, and any address confirmation notices in the envelope marked "Registrar of Voters", seal it and attach it to the precinct register after the termination of voting, and place a new protective seal on the precinct register.

* * *

§573. Evidence of election results

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E. Transmission and disposition of original challenges, duplicate voters' affidavits, and address confirmation notices. (1) At the opening of the voting machines, the sealed precinct registers shall be immediately returned to the registrar of voters. Upon receipt of the sealed precinct registers, the registrar shall remove any attached original record of challenges of voters made during the election, any

precinct register correction affidavits, any voter identification affidavits made pursuant to R.S. 18:562, any address confirmation notices, any ~~physical disability affidavits~~ voter assistance forms, any certificates, any copies of disability documentation, and any completed voter registration applications.

* * *

(4) The registrar shall scan the address confirmation notice, voter identification affidavit, ~~disability documentation~~ voter assistance form, or voter registration application and add it to the voter's record in the state voter registration computer system after processing.

* * *

§1259. Arrangement of ballot; designation of party candidates

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B.

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(6) In preparing the ballots, the secretary of state shall arrange the names of the candidates of recognized political parties alphabetically, according to the names of the parties, followed by the names of the candidates nominated by nominating petitions and by the filing of notices of candidacy, listed alphabetically by the first word of the political principle designated in the notice of candidacy ~~designation of political principle~~.

C. No candidate nominated other than by a recognized political party shall use the name of any recognized political party in the ~~political or party designation~~ political principle designated in the notice of candidacy of such candidate.

* * *

§1280.21. Presidential preference primary election

* * *

B. Each elector voting in such election may vote only for a candidate who is affiliated with the same party as the elector, ~~except that the state central committee of a recognized political party may allow in its bylaws, electors who are not affiliated with any political party to cast a vote on the ballot of such recognized political party.~~

* * *

PART IV. GENERAL PROVISIONS§1280.31. Definitions

As used in this Chapter, "recognized political party" means a political party recognized in this state pursuant to R.S. 18:441.

* * *

§1284. Resolution calling election; proposition

* * *

F.(1) ~~The preparation of the proposition to be submitted to the voters at an election shall be the responsibility of the governing authority of the political subdivision ordering the election. The proposition shall include the information required by this Section in simple, unbiased, concise, and easily understood language and be in the form of a question.~~ The proposition shall not exceed two hundred words in length and shall not include words that are struck through, underscored, or in boldface type.

* * *

§1284.1. Proposition language; clear, unbiased, and concise

The preparation of the proposition to be submitted to the voters at an election shall be the responsibility of the governing authority of the political subdivision ordering the election. The proposition shall include the information required by R.S. 18:1284 in simple, unbiased, concise, and easily understood language and be in the form of a question.

§1285. Notice of election

* * *

B.(1)(a) Written notice of the election and the certificate required by Subparagraph (b) of this Paragraph shall be transmitted to the secretary of state and each clerk of court and registrar of voters in the area affected by the election. If the election is to be held on a primary election date, then such notice and certificate shall be received by the secretary of state at least four weeks prior to the opening of the qualifying period for the primary election. If this deadline falls on a Saturday, Sunday, or legal holiday, then the deadline shall be the following day which is not

a Saturday, Sunday, or legal holiday. If the election is not to be held on a primary election date, then the notice and certificate shall be received by the secretary of state on or before the fifty-fourth day prior to the election. The secretary of state shall not accept any revisions to propositions, including but not limited to changes in title, text, or numerical designations, after the last day for submission of the notice and certificate to the secretary of state, unless prior to the printing of the ballots the revision will correct a typographical error and the revision has been approved by the governing authority that called the proposition election.

* * *

§1286. Polling places; election officers

* * *

C. When the number of commissioners for each precinct in an election called on a general election date under the provisions of this Chapter is less than the number of commissioners chosen for the primary election date, the appropriate number of commissioners shall be chosen from the list of commissioners who worked at the precinct for the primary election.

* * *

§1286.1. Authority to consolidate polling places; reduction of number of voting machines and election officials

A. Notwithstanding any provision of R.S. 18:1286(A), when an election called under the provisions of this Chapter is not held at the same time as the election of any public official, in cases where ~~more than one polling place is within the same location~~ a single location serves as the polling place of more than one precinct the parish board of election supervisors may consolidate the polling places in that location so that a single polling place may serve each precinct assigned to that location for that election and may reduce the number of voting machines to be used in the election below the number fixed by R.S. 18:1363 and, in such case, shall notify, in accordance with the time line provided in R.S. 18:1363(H), the parish custodian of voting machines and the secretary of state of the number of machines

1 to be prepared and delivered ~~for the polling places so consolidated~~ to the location of
 2 the consolidated polling place.

3 B. ~~Whenever~~ When the parish board of election supervisors consolidates
 4 polling places as authorized by Subsection A of this Section, it shall appoint a
 5 commissioner-in-charge to serve ~~at each such~~ all precincts assigned to the
 6 consolidated polling place and may reduce to not less than two the number of
 7 commissioners and alternate commissioners to be appointed to serve at ~~each such~~
 8 ~~polling place~~ the location of the consolidated polling place.

9 * * *

10 §1299.1. Question or proposition to be voted on; length

11 A. The preparation of a question or proposition to be submitted to the voters
 12 at an election shall be the responsibility of the governing authority or other entity
 13 calling the election or submitting the question or proposition. The proposition shall
 14 be comprised of simple, unbiased, concise, and easily understood language and be
 15 in the form of a question. The proposition shall not exceed two hundred words in
 16 length and shall not include words that are struck through, underscored, or in
 17 boldface type. The governing authority or other entity shall be responsible for
 18 ensuring that the proposition is comprised of simple, unbiased, concise, and easily
 19 understood language.

20 B. The secretary of state shall be responsible for ensuring that the
 21 proposition ~~complies with the requirements of this Section~~ does not exceed two
 22 hundred words in length, does not include words that are struck through,
 23 underscored, or in boldface type, and is in the form of a question.

24 §1300. Procedures; notice of election; expenses

25 * * *

26 C.(1) When an election is called under the provisions of this Chapter, written
 27 notice of the election shall be transmitted to the secretary of state, the commissioner
 28 of elections, and each clerk of court and registrar of voters in the area affected by the
 29 election. If the election is to be held on a primary election date, then such notice
 30 shall be received by the secretary of state at least four weeks prior to the opening of

the qualifying period for the primary election. If the election is not to be held on a primary election date, then such notice shall be received by the secretary of state on or before the fifty-fourth day prior to the election. If any of these deadlines fall on a Saturday, Sunday, or legal holiday, then the deadline shall be the following day which is not a Saturday, Sunday, or legal holiday.

* * *

§1300.2. Petition for recall election; campaign finance disclosure

* * *

C.

* * *

(2)

* * *

(b) With the recall petition, the chairman shall also submit to the registrar of voters an affidavit verifying the number of signatures submitted along with ~~an attestation~~ a statement that to the best of his knowledge all documents submitted are originals and not photocopies.

* * *

§1300.7. Governor to order election; proclamation; publication

A. If the required number of qualified electors of the voting area sign the petition for recall, the governor shall issue a proclamation ordering an election to be held for the purpose of voting on the question of the recall of the officer. The total number of registered voters in the voting area and the total number of registered voters in the voting area signing the petition shall be calculated from the totals on the certificates of all of the registrars of voters received by the governor. The governor shall issue such proclamation within fifteen days after he receives the certified petitions from all of the registrars of voters in the voting area who have received petitions for certification. If the final day for the governor to issue the proclamation falls on a Saturday, Sunday, or legal holiday, then the next day which is not a Saturday, Sunday, or legal holiday shall be deemed to be the final day for issuing the proclamation. The proclamation shall order the election to be held on the next

1 available date specified in R.S. 18:402(F). If the election is to be held on a primary
2 election date, the proclamation shall be issued at least four weeks prior to the
3 opening of the qualifying period for the primary election. If the election is not to be
4 held on a primary election date, the proclamation shall be issued on or before the
5 fifty-fourth day prior to the election. If any of these deadlines fall on a Saturday,
6 Sunday, or legal holiday, then the deadline shall be the following day which is not
7 a Saturday, Sunday, or legal holiday.

8 * * *

9 §1300.11. Preparation of ballots; marking of ballots

10 The ballots ~~at recall elections shall be provided and supplied in the same~~
11 ~~manner as the ballots for general elections, and in accordance with general election~~
12 ~~laws, except as provided in this Chapter. The top of the ballot shall provide in large~~
13 ~~capital letters~~ for the election shall appear as follows:

14 "SPECIAL ELECTION FOR THE RECALL OF (Here state name ~~and~~ title, and

15 election district of the officer whose recall is at issue.)"

16 ~~Then shall follow the number and name of the election district and the location of the~~
17 ~~polling place. Then shall follow the dates of the election. Then shall follow, in~~
18 ~~separate lines on the ballot, the following:~~

19 "FOR the Recall. () _____

20 AGAINST the Recall. () _____"

21 ~~After the words "FOR the Recall", shall be a blank square, and after the words~~
22 ~~"AGAINST the Recall", shall be a blank square. The ballot shall provide~~
23 ~~instructions for voting.~~

24 * * *

25 §1306. Preparation and distribution of absentee by mail and early voting ballots

26 * * *

27 E.(1) The secretary of state shall prepare an absentee by mail certificate, the
28 content of which is subject to approval of the attorney general. The certificate shall
29 include but not necessarily be limited to:

30 * * *

(f) An ~~affidavit~~ attestation followed by a line for the handwritten signature or mark of the voter, certifying that the statements made by him are true and correct and that the voter is aware of the penalties for knowingly making a false statement therein, which penalties shall be stated on the certificate.

* * *

§1309. Early voting; verification

* * *

D.(1)

* * *

(c) If satisfied that the voter has identified himself as the voter registered in the state voter registration computer system ~~or named on the precinct register~~ and that he is qualified to vote, the registrar or his deputy shall initial the ~~precinct register~~ or early voting list register kept by the registrar opposite the voter's signature or mark. The voter then shall be allowed to vote.

(d) A voter who votes without the picture identification required by Subparagraph (a) of this Paragraph is subject to challenge as provided in R.S. 18:1315.

(2) If the voter's name is found in the state voter registration computer system ~~or precinct register~~ on the inactive list of voters, the voter shall be required to complete an address confirmation card to determine his eligibility to vote.

E.(1) The voter's identity having been established as provided in Subsection D of this Section, the voter shall sign or make his mark prior to voting in the ~~precinct register~~ or early voting register.

* * *

H. Prior to delivery of the precinct register to the parish custodian, the registrar shall ensure that the precinct register reflects for each voter whether the voter voted during early voting or voted timely absentee by mail using the words "voted ~~by mail~~ absentee" and, if the register was not used during early voting, "voted early" in the signature line for the voter in the precinct register.

* * *

1 N.

2 * * *

3 (2) A qualified voter of the state who is not a candidate in the election may
4 serve as an early voting watcher; however, no person who is required to register as
5 a sex offender or child predator pursuant to R.S. 15:542 may serve as a watcher.

6 * * *

7 §1309.1. Preparation of machines for early voting; examination by candidate or his
8 representative; sealing machines

9 A. At the time of qualifying, the parish custodian shall notify each candidate
10 to contact the registrar of voters for the time and place at which the voting machines
11 will be prepared for early voting. The registrar of voters shall post at his office
12 adequate notice of the date, time, and place at which the voting machines will be
13 prepared for early voting and shall post the same information on his office's website,
14 if possible. The candidate or his representative may be present to observe the
15 preparation and testing of the machines by the registrar of voters with the assistance
16 of the secretary of state's technicians and to observe the ~~testing and~~ sealing of the
17 machines by the registrar of voters in the presence of the parish board of election
18 supervisors. Each candidate or his representative shall be afforded a reasonable
19 opportunity to view the test vote tape for each machine to see that they are in the
20 proper condition for use in the election, which opportunity shall not be less than
21 thirty minutes beginning at the time designated by the registrar of voters to begin
22 preparation of the machines for sealing. However, no candidate, representative, or
23 citizen shall interfere with the registrar of voters, secretary of state's technicians,
24 parish board of election supervisors, or any employee or technician or assume any
25 of their duties.

26 * * *

27 §1310. Execution of certificate; marking of ballot; casting vote; assistance

28 * * *

29 E. If a voter is notified by the registrar of voters in his parish of a deficiency
30 on his absentee by mail ballot certificate that must be cured, he may obtain a

1 ~~replacement ballot from the registrar. The registrar may make the ballot available~~
2 ~~via hand delivery to the voter or an immediate family member of the voter.~~

3 * * *

4 §1313. Tabulation and counting of absentee by mail and early voting ballots

5 * * *

6 F. The board shall count the absentee by mail and early voting ballots and
7 ~~announce post~~ the results after the closing of the polls as the total number of absentee
8 by mail and early voting votes cast in the election for each candidate and the total
9 number cast for and against each proposition.

10 * * *

11 H. The procedure for counting early voting machine ballots and paper ballots
12 voted during early voting shall be as follows:

13 * * *

14 (3) The board shall ~~announce post~~ the results from each early voting machine
15 results report for the early voting ballots, unless an early voting ballot has been
16 challenged pursuant to R.S. 18:1309(E)(6) or R.S. 18:1315.

17 * * *

18 K.(1) Upon completion of the tabulation and counting of the absentee by
19 mail and early voting ballots, the parish board of election supervisors shall return the
20 absentee by mail and early voting ballots and electronic results report to the special,
21 secure absentee by mail and early voting ballot container; shall seal the container;
22 and shall deliver the container to the registrar of voters. The registrar shall preserve
23 the container and its contents inviolate and, except upon order of a court of
24 competent jurisdiction or at the direction of the secretary of state for the purpose of
25 conducting post-election tabulation audits, shall not allow the absentee by mail and
26 early voting documents to be inspected by anyone until the delay for filing an action
27 contesting the election has lapsed. If an action contesting the election is commenced
28 timely, the registrar shall continue to preserve the container and its contents
29 inviolat, subject to the orders of the court, until the final judgment in the action has
30 become definitive.

31 * * *

§1313.1. Preparation, verification, tabulation, and counting of absentee by mail and early voting ballots

* * *

F. The board shall count the absentee by mail and early voting ballots and ~~announce~~ post the results after the closing of the polls on election day as the total number of absentee by mail and early voting votes cast in the election for each candidate and the total number cast for and against each proposition.

* * *

I. The procedure for counting early voting machine ballots on election day shall be as follows:

* * *

(2) The board shall ~~announce~~ post the results from each early voting machine results report for the early voting ballots, unless an early voting ballot has been challenged pursuant to R.S. 18:1309(E)(6) or R.S. 18:1315.

* * *

L.(1) Upon completion of the tabulation and counting of the absentee by mail and early voting ballots on election day, the parish board of election supervisors shall return the absentee by mail and early voting ballots and electronic results report to the special, secure absentee by mail and early voting ballot container; shall seal the container; and shall deliver the container to the registrar of voters. The registrar shall preserve the container and its contents inviolate and, except upon order of a court of competent jurisdiction or at the direction of the secretary of state for the purpose of conducting post-election tabulation audits, shall not allow the absentee by mail and early voting documents to be inspected by anyone until the delay for filing an action contesting the election has lapsed. If an action contesting the election is commenced timely, the registrar shall continue to preserve the container and its contents inviolate, subject to the orders of the court, until the final judgment in the action has become definitive.

* * *

§1315. Challenge of absentee by mail or early voting ballot

* * *

D.(1) During the counting of absentee by mail and early voting ballots, at least a majority of the members of the board shall hear and determine the validity of any ballot challenged ~~in accordance with the provisions of~~ pursuant to Subsection A or B of this Section ~~or deemed challenged pursuant to Subsection C of this Section.~~

* * *

§1333. Nursing home early voting program; voting by persons residing in a nursing home

* * *

D.

* * *

(2) An application to vote in the nursing home early voting program that satisfies the requirements of this Section shall remain valid indefinitely unless the voter submits a written request to the registrar to be removed from the program, the letter provided for in Subsection E of this Section is returned to the registrar or voters as undeliverable, or the voter no longer resides in the nursing home listed in his application. However, if the voter has become a resident of a different nursing home in the parish and has notified the registrar of voters in writing of the change of nursing home address, his application shall remain valid.

(3) If the letter provided for in Subsection E of this Section is returned to the registrar of voters as undeliverable, the registrar shall mail an address confirmation notice to the voter as provided in R.S. 18:198(A).

E. The registrar shall notify the applicant by letter, at the return nursing home address shown on the request, the day on which a deputy registrar or other qualified person selected by the registrar will be present at the nursing home to permit the applicant to cast his ballot. The registrar shall assign a number to the applicant which ~~shall be stamped or entered in ink on the upper right side of the letter and also shall be entered~~ shall appear in clearly distinguishable figures on the letter and on the absentee by mail ballot envelope that will contain the absentee by mail

1 ballot to be delivered to that applicant on the day designated in the letter. If the letter
2 is mailed by the registrar prior to his receipt of the absentee by mail ballots for the
3 election, the registrar shall enter the name of the applicant; his address, ward, and
4 precinct; and the number assigned to the applicant on a list that the registrar shall
5 keep for the purpose and, upon receipt of the absentee by mail ballots for the
6 election, the registrar shall enter the number on the absentee by mail ballot envelope
7 as provided in this Subsection.

8 * * *

9 §1362.1. Voting System Commission; creation and organization; duties and
10 responsibilities

11 * * *

12 L. Notwithstanding any provision of law to the contrary, the secretary of
13 state shall award no contract for voting systems unless the awarded proposer has
14 provided a sworn affidavit ~~attesting~~ stating that the proposer is not subject to
15 significant ownership or control by a foreign power, and that the proposer is aware
16 that a false ~~attestation~~ statement will be subject to the provisions of R.S. 39:1678 and
17 1679. For purposes of this Subsection, "significant ownership or control by a foreign
18 power" means ownership, equity, or control which equals or exceeds twenty-five
19 percent of the total outstanding ownership, equity, or control of the proposer, and
20 which is exercised directly or indirectly by, or for the express benefit of, the
21 government of a foreign nation, state, or principality, or any instrumentality or
22 subsidiary thereof. The sworn affidavit required pursuant to this Subsection, and all
23 related information, shall be a public record.

24 * * *

25 §1363. Number of machines; allocation to precincts; exception; reserve machines

26 A. In determining the number of voting machines to be purchased and
27 allocated for each voting precinct in each parish or municipality, the minimum
28 number to be allocated shall be as follows:

29 * * *

(3) Three machines for each precinct where more than one thousand voters but not more than ~~fourteen~~ eighteen hundred voters were registered to vote thirty days prior to the election.

(4) Four machines for each precinct where more than ~~fourteen~~ eighteen hundred voters were registered to vote thirty days prior to the election.

* * *

§1405. Time for commencement of action

* * *

C. An action contesting an election on a proposed constitutional amendment shall be instituted no earlier than the day after the election and not later than 4:30 p.m. of the tenth day after promulgation of the results of the election by the secretary of state.

* * *

§1409. Trial; decision; appeal

* * *

K.(1) Neither the secretary of state nor any employee engaged in the administration of or charged with the custody of any records or files of the Department of State shall be subject to subpoena or otherwise required to appear in court for an objection to candidacy filed pursuant to this Chapter.

(2) In lieu of live testimony for any action filed pursuant to this Chapter, a properly executed affidavit issued by the secretary of state or his designee shall serve as sufficient confirmation as to the accuracy of the records and files of the Department of State for such purposes.

* * *

§1461.7. Miscellaneous election offenses; penalties

* * *

E. Any person who intentionally makes a false written statement in an attestation required by this Code shall, upon conviction, be guilty of the crime of perjury and subject to the penalty set forth in R.S. 14:123.

* * *

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

* * *

F. The duly constituted law enforcement officers of the political subdivision in which any such election is being held shall enforce the provisions of this Section when requested to do so by a clerk of court, registrar, deputy registrar, commissioner-in-charge or commissioner. The clerk of court, registrar, deputy registrars, commissioners-in-charge and commissioners likewise shall enforce the provisions of this Section at the polling places. The law enforcement officers, clerk of court, commissioners-in-charge, commissioners, deputy registrars, and registrar are authorized to seize, remove, and destroy any political cards, signs, pictures, or literature being used or displayed in violation of any of the provisions ~~hereof~~ of this Section.

* * *

§1501.3. Gubernatorial transition and inauguration; contribution limits; reports

* * *

C. On or before the sixtieth day after the gubernatorial inauguration and by February fifteenth annually thereafter until all contributions have been expended or used, the governor shall file an all-inclusive report with the supervisory committee. Each report shall be complete through January thirty-first. Each report ~~which~~ shall state:

* * *

Section 2. R.S. 18:192(A)(1), 402(A)(1), (D) and (E)(1), 410.1 through 410.3, 410.4(B), 410.5(A), 410.6(B)(1) and (2), 410.7, 410.8, 410.9(A), 435(B)(1), 501(A)(1), (B)(1), and (C), 551(B), (C)(1)(c)(i) and (2), and (D), 1279, 1285(B)(1)(a), 1307(E), and 1309(N)(5) and (7) are hereby amended and reenacted and R.S. 18:401.1(H), 1307(L), and 1310(F) are hereby enacted to read as follows:

§192. Annual canvass; costs

A.(1) No later than July thirty-first, the registrar of voters of each parish in conjunction with the Department of State shall annually canvass the names of the

registrants in all precincts in the parish. Failure of the registrar to conduct an annual canvass as provided in this Subsection shall constitute willful misconduct relating to his official duty for the purposes of R.S. 18:53. The Department of State shall use ~~the United States Postal Service or its licensee~~ address data obtained pursuant to a written agreement from another state or federal governmental agency or private vendor that provides voter registration eligibility or address data to verify the names and addresses of the registrants in all precincts in the state. A verification ~~by the United States Postal Service or its licensee~~ of address data shall constitute a valid canvass of the registered voter.

* * *

§401.1. Election emergency; purpose; elections emergency contingency plan

* * *

H. For purposes of this Section, a vacancy in a party primary office that may not be filled by appointment, designation, or in accordance with the timeframes required by law shall constitute an emergency. If the vacancy may not be filled in a timely manner in accordance with the election dates provided for in R.S. 18:402, the governor may proclaim a state of emergency for purposes of calling a special election to fill the vacancy. Notwithstanding the provisions of R.S. 18:401.3, following the issuance of the emergency proclamation, the authority required by law to call a special election to fill the vacancy in office shall, in consultation with and with the certification of the secretary of state, issue a proclamation ordering a special election. The proclamation ordering the special election shall include the dates for qualifying, early voting, the primary election, the general election, and at least one party primary election and make all provisions necessary to conduct an election in a timely manner notwithstanding the dates, timing, and delays otherwise provided by this Code.

* * *

§402. Dates of primary and general elections; prohibited election days

A. Prohibited election days. (1) No election of any kind shall be held in this state on any of the days of Rosh Hashanah, Yom Kippur, Sukkot, Shemini Atzeret,

1 Simchat Torah, the first two days and the last two days of Passover, Shavuot, Tish'a
2 B'Av, the two days preceding Labor Day, ~~or~~ the three days preceding Easter, or the
3 three days following Thanksgiving Day. If the date of any fall election falls on any
4 of the above-named days, the election shall be held on the same weekday of the
5 preceding week. If the date of any spring election falls on any of the above-named
6 days, the election shall be held on the same ~~weekday~~ day of the following week.

7 * * *

8 D. Odd-numbered year election dates in a nongubernatorial election year.

9 (1) Spring elections. (a) There shall be a spring primary election held on the
10 third Saturday in April for municipal and ward officers elected in the spring of a
11 nongubernatorial election year. This date shall also serve as the first party primary
12 election for a special election called to fill a vacancy in a party primary office.

13 (b) There shall be a spring election held on the sixth Saturday after the third
14 Saturday in April which shall be a general election for municipal and ward officers
15 elected in the spring of a nongubernatorial election year. This date shall also serve
16 as the second party primary election, if necessary, for a special election called to fill
17 a vacancy in a party primary office.

18 (2) Fall elections. (a) There shall be a fall primary election held on the
19 second Saturday in October for parochial and municipal officers in a parish
20 containing a municipality with a population of three hundred thousand or more. This
21 date shall serve as the general election for a special election called to fill a vacancy
22 in a party primary office.

23 (b) There shall be a fall general election held on the sixth Saturday after the
24 second Saturday in October of an election year.

25 E.(1) Special elections to fill newly created offices or vacancies in office
26 shall be held on dates fixed by the appropriate authority in the proclamation issued
27 in accordance with law. For an election to fill a vacancy, the dates fixed in the
28 proclamation shall be limited to the dates for primary elections and general elections
29 established in Subsections B, C, and D of this Section. Except as otherwise provided
30 by law, a special primary election shall be held on the first of the election dates

1 established in this Section that is after the date on which the proclamation calling the
2 special primary election is issued, provided that the proclamation is issued at least
3 four weeks prior to the opening of the qualifying period for the special primary
4 election. If this deadline falls on a Saturday, Sunday, or legal holiday, then the
5 deadline shall be the following day which is not a Saturday, Sunday, or legal holiday.

6 The authority issuing the proclamation shall consult with the secretary of state in the
7 establishment of a qualifying period and election dates for special elections.

8 * * *

9 §410.1. Party primary elections

10 Party primary elections for party primary offices as defined in R.S. 18:2 shall
11 be held pursuant to this Part, and any provision of this Code in conflict with these
12 provisions shall not be applicable to elections for party primary offices. Any
13 provision of this Code that is not in conflict with these provisions shall be applicable
14 to these elections unless the context clearly indicates otherwise. For purposes of this
15 Part, the phrase "~~recognized~~ major political party" shall mean a political party
16 recognized pursuant to R.S. 18:441(C).

17 §410.2. Party primary office; party primary qualifications

18 ~~Recognized~~ Major political parties shall make nominations of candidates for
19 party primary office as provided in this Part. Only candidates affiliated with a
20 ~~recognized~~ major political party may participate in the party primary election of the
21 political party of the candidate's party affiliation.

22 §410.3. Purpose and nature of party primary elections

23 A. For general elections, political parties shall make all nominations of
24 candidates for party primary office by direct primary elections held pursuant to this
25 Part. In party primary elections, each voter voting in such election may vote only for
26 a candidate who is affiliated with the same party as the voter.

27 B. Voters not affiliated with a political party may vote in a ~~recognized~~ major
28 party primary if a party primary ballot is selected by the voter prior to casting his
29 ballot, but such a voter may vote only in one ~~recognized~~ major party primary. If an
30 unaffiliated voter chooses to vote in the first party primary of one political party, the

1 unaffiliated voter shall not vote in the second party primary of another political
2 party.

3 §410.4. Manner of qualifying for a party primary election

4 * * *

5 B. A person who desires to become a candidate in a party primary election
6 shall be affiliated with a ~~recognized~~ major political party. A person may qualify as
7 a candidate only in a party primary election of the party with which he is affiliated
8 as shown on his voter registration at the time of qualifying for that office. No
9 candidate shall change his political party affiliation after he has qualified for an
10 election until the deadline for an election contest has passed.

11 §410.5. Nominating petitions

12 A. A person may be nominated as a candidate in a party primary election
13 only by persons who are affiliated with the same ~~recognized~~ major political party,
14 who are qualified to vote on the office he seeks, and who sign a nominating petition
15 for him no more than one hundred twenty days before the qualifying period opens
16 for candidates in the party primary election. The registrar of voters shall reject any
17 signature on a nominating petition not in compliance with this Section.

18 * * *

19 §410.6. Death of a candidate; procedure; selection of party nominee

20 * * *

21 B.(1) If as the result of the death of a candidate in a party primary election,
22 a ~~recognized~~ major political party has no party nominee qualified for the general
23 election, the ~~recognized~~ major political party shall select, in the manner provided in
24 its bylaws, the party nominee who shall meet all of the qualifications for the party
25 primary office.

26 (2) The chairman of the state central committee of the ~~recognized~~ major
27 political party shall transmit an attestation to the secretary of state containing the
28 name of the party nominee, the signature of the chairman of the state central
29 committee, the signature of the party nominee, and any other information required

1 by the form of the attestation prescribed by the secretary of state. The attestation
2 shall be filed as soon as possible after the death of the party's candidate, but no later
3 than noon on the seventh day prior to the general election day. If the attestation is
4 received no later than 4:30 p.m. on the seventh day after the close of the qualifying
5 period for nonparty primary offices for the fall primary election, the secretary of
6 state shall print the name of the selected party nominee on the ballot. If the
7 attestation is filed in accordance with this Paragraph, but the name of the selected
8 party nominee is not placed on the ballot, there shall be a notice regarding the
9 selected party nominee posted at each polling place and on the website of the
10 secretary of state. If the selected party nominee's name is not placed on the ballot,
11 all votes cast for the party's deceased candidate shall be attributed to the party
12 nominee.

13 * * *

14 §410.7. Party candidates who qualify for a general election

15 A. The candidate who receives the majority of votes in the party primary
16 qualifies for the general election as the party's nominee for the office. All candidate
17 nominations for a party primary office by ~~recognized~~ major political parties for the
18 general election shall be made in this manner, except as otherwise provided in R.S.
19 18:410.6(B).

20 B.(1) In the event that no candidate receives the majority of votes in the first
21 party primary, the two candidates from each political party who received the greatest
22 number of votes in the first party primary shall be voted on in the second party
23 primary.

24 ~~(1)~~ (2) In the case of a tie vote for first place in the first party primary of a
25 ~~recognized~~ major political party, all of the candidates affiliated with the same
26 political party who received the same highest number of votes qualify for the second
27 party primary.

28 ~~(2)~~ (3) In the case of a tie vote for second place in the first party primary of
29 a ~~recognized~~ major political party, all of the candidates affiliated with the same

1 political party who received the same second highest number of votes and the
2 candidate affiliated with the same political party who received the highest number
3 of votes qualify for the second party primary.

4 ~~(3)~~ (4) If one of the persons receiving the highest number of votes in the first
5 party primary withdraws his candidacy, dies, or is otherwise disqualified, thereby
6 leaving only one candidate from the same political party in the race, the remaining
7 candidate who has received the highest number of votes for the office for which he
8 was a candidate shall be declared the nominee of the party.

9 C. There shall be no third party primary. In the case of a tie vote in the
10 second party primary of a ~~recognized~~ major political party, none of the candidates
11 qualify as the party nominee for the general election, and the party nominee shall
12 be selected by a public drawing of lots conducted by the State Board of Election
13 Supervisors from among the candidates who received the highest number of votes
14 in the second party primary election. The public drawing of lots shall be conducted
15 at the state capitol on a day and at a time fixed by the board within one week after
16 the results of the election become official. The candidates involved shall be given
17 at least three days' written notice of the time and place of the public drawing of lots.
18 §410.8. Candidates not affiliated with a ~~recognized~~ major political party; qualifying
19 for the general election

20 A. Any person who desires to become a candidate in a general election for
21 a party primary office and who is not registered as being affiliated with a ~~recognized~~
22 major political party shall file his notice of candidacy, which shall be accompanied
23 by a nominating petition as provided in R.S. 18:465, with the appropriate qualifying
24 official during the qualifying period established for the party primary election. The
25 number of signatures required on such a nominating petition shall be as set forth in
26 R.S. 18:465.

27 B. A person filing a notice of candidacy as provided in Subsection A of this
28 Section may be nominated only by persons who are qualified to vote on the office
29 he seeks, who sign a nominating petition for him, and who are not affiliated with a
30 ~~recognized~~ major political party. The registrar of voters shall reject any signature

on a nominating petition not in compliance with this Subsection.

§410.9. Nomination of candidates in a party primary election; general election; unopposed candidate

A. If, after the close of the qualifying period for candidates in a party primary election, only one candidate qualified for the ~~recognized~~ major political party or only one candidate for the ~~recognized~~ major political party remains after the withdrawal of one or more candidates, the candidate is declared the nominee of the party, and his name shall not appear on the ballot in a party primary election but shall be on the ballot for the general election. If a party primary election ballot was printed with the name of a candidate who withdrew on it, any votes received by a candidate who withdrew shall be void and shall not be counted for any purpose whatsoever.

* * *

§435. Watchers; appointment and commission

* * *

B.(1)(a) A list of watchers shall be filed with the clerk of court by hand delivery, facsimile, mail, or commercial courier before 4:30 p.m. on the tenth business day before the party primary, primary, or general election; however, if the tenth business day before the party primary, primary, or general election falls on a Saturday, Sunday, or other legal holiday, the list shall be filed on the next day which is not a Saturday, Sunday, or other legal holiday. For purposes of this Paragraph, "commercial courier" shall have the same meaning as provided in R.S. 13:3204(D). If the office that the candidate seeks is voted on in more than one parish, a list of watchers shall be filed with the clerk of court in each parish where the candidate will have watchers.

(b) A list of watchers submitted by a candidate for the party primary or primary election may be used for the second party primary, primary, or general election only if the candidate notifies the clerk of court in writing by 4:30 p.m. on the tenth business day before the general election that he wants to use the same list of watchers.

(c) A list of political party super watchers submitted by a party for the party primary or primary election may be used for the second party primary, primary, or general election only if the chairman of the parish executive committee or the state central committee of the party notifies the clerk of court in writing by 4:30 p.m. on the tenth business day before the general election that the chairman wants to use the same list of political party super watchers.

* * *

§501. Procedure for withdrawal

A.(1)(a) A candidate in a primary election may withdraw from the election by filing notice of his withdrawal with the secretary of state prior to 4:30 p.m. on the seventh day after the close of the qualifying period.

(b) A candidate in a first party primary election may withdraw from the election by filing notice of his withdrawal with the secretary of state prior to 4:30 p.m. on the seventh day after the close of the qualifying period.

(c) The notice of withdrawal shall be signed by the candidate and duly acknowledged by him before an officer authorized to administer oaths.

* * *

B.(1)(a) A candidate in a general election may withdraw from the election by filing notice of his withdrawal with the secretary of state prior to 4:30 p.m. on the ninth day after the date of the primary election.

(b) A candidate in a general election for a party primary office may withdraw from the election by filing notice of his withdrawal with the secretary of state prior to 4:30 p.m. on the ninth day after the second party primary election date, regardless of whether a second party primary election is held.

(c) The notice of withdrawal shall be signed by the candidate and duly acknowledged by him before an officer authorized to administer oaths.

* * *

C. Notwithstanding the provisions of Subsections A and B of this Section, if the number of candidates remaining in a primary election, second party primary election, or general election for a public office is one more than the number of

persons to be elected to the office, the secretary of state shall accept a notice of withdrawal that is filed prior to 4:30 p.m. on the second day prior to the ~~election~~ first day of early voting. The candidate or candidates remaining after the withdrawal shall be declared elected by the people.

* * *

§551. Ballots

* * *

B. Titles of offices. (1) In any primary election for a party primary office, the parties shall be arranged alphabetically, and under such party affiliation, the titles of the party primary offices to be voted on shall be listed in the order provided in Paragraph (2) of this Subsection. The names of the candidates for each party primary office shall be listed alphabetically by surname within each party and printed below the title of the party primary office.

(2) Below any party primary offices, the ~~The~~ titles of the offices to be voted on in a primary or general election shall be listed on the ballot ~~in capital letters~~ in the following order:

(a) President and vice president.

(b) Presidential nominees in a presidential preference primary. If an election for presidential nominees in a presidential preference primary appears on the same ballot with an election for a party primary office, the secretary of state may place the presidential nominees above the party primary office candidates of the same party.

(c) State offices--governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, United States senator, United States representative, justice of the supreme court, judge of a court of appeal, member of the public service commission, member of another state board or commission, and any other state office.

(d) Local offices--state senator, state representative, district judge, district attorney, judge of a parish court, sheriff, clerk of court, assessor, coroner, police juror, judge and marshal of a city court, member of a school board, member of other local boards and commissions, justice of the peace, and other local offices.

(e) Municipal offices--mayor, chief of police or marshal, alderman or member of a city council, member of a municipal board or commission, and other municipal offices.

(f) Political party offices--member of a state central committee, member-at-large of a parish executive committee, and member of a parish executive committee from a political subdivision. If an election for a political party office appears on the same ballot with an election for presidential nominees in a presidential preference primary election, the secretary of state may place the political party office ~~immediately following the office of presidential nominees of the same political party~~ after party primary offices or after all other offices.

~~(2)~~ (3) When a special election to fill a newly created office or a vacancy in an existing office is held at the same time as a regularly scheduled election, the secretary of state may list the titles of the offices to be voted on in the special election at the end of the ballot. However, when the geographic area of an office in the regularly scheduled election and in the special election are the same and when the candidates in the regularly scheduled election and in the special election for such office are the same, the title of the office and the names of the candidates shall appear only once on the ballot as provided in this Section and the ballot shall state that the election is being held to fill both the vacancy and the full term for the office. Each elector shall cast the same vote for both the regular and the special election for the office, and the candidates who qualify for the general election shall qualify for the general election for both the regular and the special election for the office, and the candidate who is elected shall be elected to fill both the vacancy and the full term for the office.

~~(3)~~ (4) The titles of offices not specifically provided for in this Section shall be listed on the ballot in the order determined by the secretary of state.

C. Names and numbers of candidates. The names of the candidates in a primary or general election shall be listed on the ballot as follows:

(1)

* * *

1 (c)(i) The names of the candidates for each office shall be arranged
2 alphabetically by surname and shall be listed below the title of the office, ~~in smaller~~
3 ~~capital letters~~. The names of the candidates shall be numbered from first to last.
4 Once the secretary of state has assigned numbers to the candidates on the primary
5 election ballot, the numbers shall not be changed.

6 * * *

7 (2) In a general election only the names of the candidates who qualified for
8 election shall be listed on the ballot, and the names shall be listed in the same form
9 as they were listed on the ballot for the primary election. The names of candidates
10 who were elected in the primary election shall not be listed on the ballot. The names
11 of the candidates for each office shall be arranged alphabetically by surname, and
12 shall be listed below the title of the office, ~~in smaller capital letters~~. The names of
13 the candidates shall be given the same number assigned to them on the primary
14 election ballot.

15 D. Political party designation. (1) The political party designation of a
16 candidate who is registered as being affiliated with a recognized political party shall
17 be listed on the primary or general election ballot on the same line and immediately
18 after or below the candidate's name. If a candidate is affiliated with a political party,
19 but such party is not a recognized political party, the word "other" shall be placed
20 after his name. If a candidate is not affiliated with any political party, the words "no
21 party" or an abbreviation thereof shall be placed after his name. The secretary of
22 state shall promulgate and adopt rules as necessary to effectuate the provisions and
23 purposes of this Subsection.

24 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the
25 political party designation of a candidate in a party primary election shall appear on
26 the ballot according to Paragraph (B)(1) of this Section.

27 * * *

28 §1279. Vacancies; representatives in congress

29 When a vacancy occurs in the office of representative in congress, the
30 governor shall determine the dates on which the special elections shall be held and

1 the dates of the qualifying period in accordance with R.S. 18:402 and shall issue a
2 proclamation ordering a special election and specifying the dates on which the first
3 party primary, second primary, if necessary, and general elections will be held and
4 the dates of the qualifying period for the election. Within twenty-four hours after
5 issuing the proclamation, the governor shall send a copy of the proclamation to the
6 secretary of state, who shall within twenty-four hours of receipt of the information
7 notify all election officials having any duty to perform in connection with a special
8 election to fill such vacancy, including the parish boards of election supervisors for
9 the parish or parishes in which the vacancy occurred. Immediately thereafter the
10 secretary of state shall publish the proclamation in the official journal of each parish
11 in which the election is to be held. The election shall be conducted in the same
12 manner and at the same places and the returns shall be certified as in regular
13 congressional elections. If at a primary or general election in a congressional district
14 one representative in congress is to be elected for a full term and another to fill a
15 vacancy, the ballots containing the names of the candidates shall, as a part of the title
16 of the office, designate the term for which the candidates are respectively nominated.

17 * * *

18 §1285. Notice of election

19 * * *

20 B.(1)(a) Written notice of the election and the certificate required by
21 Subparagraph (b) of this Paragraph shall be transmitted to the secretary of state and
22 each clerk of court and registrar of voters in the area affected by the election. If the
23 election is to be held on a primary election date, then such notice and certificate shall
24 be received by the secretary of state at least four weeks prior to the opening of the
25 qualifying period for the primary election. If this deadline falls on a Saturday,
26 Sunday, or legal holiday, then the deadline shall be the following day which is not
27 a Saturday, Sunday, or legal holiday. If the election is not to be held on a primary
28 election date, then the notice and certificate shall be received by the secretary of state
29 on or before the sixty-first day prior to the election. The secretary of state shall not
30 accept any revisions to propositions, including but not limited to changes in title,

text, or numerical designations, after the last day for submission of the notice and certificate to the secretary of state, unless prior to the printing of the ballots, the revision will correct a typographical error and the revision has been approved by the governing authority that called the proposition election.

* * *

§1307. Application by mail

* * *

E. A person entitled to vote absentee by mail may request in his application for an absentee ballot for a primary election that an absentee ballot for the succeeding general election be sent to him when such ballots become available for distribution; however, in such case, the applicant shall declare in writing to the registrar that he will be eligible to vote absentee by mail in the general election. For purposes of this Subsection, a party primary election and the succeeding general election for a party primary office are two separate elections. Separate requests shall be made to vote absentee by mail for the party primary election and for the succeeding general election.

* * *

L. The registrar shall not send an absentee ballot for a closed party primary election for which the voter is not eligible.

* * *

§1309. Early voting; verification

* * *

N.

* * *

(5) A list of early voting watchers shall be filed with the registrar of voters by hand delivery, facsimile, mail, or commercial courier before 4:30 p.m. on the fourteenth business day before the first day of early voting for the party primary, primary, or general election; however, if the fourteenth business day before the first day of early voting for the party primary, primary, or general election falls on a Saturday, Sunday, or other legal holiday, the list shall be filed on the next day which

is not a Saturday, Sunday, or other legal holiday. For purposes of this Paragraph, "commercial courier" shall have the same meaning as provided in R.S. 13:3204(D).

* * *

(7) A list of early voting watchers submitted for the party primary or primary election may be used for the second party primary, primary, or general election only if the chairman of the parish executive committee of the political party notifies the registrar of voters in writing by 4:30 p.m. on the tenth business day before the start of early voting for the second party primary, primary, or general election that the chairman wants to use the same list of early voting watchers.

* * *

§1310. Execution of certificate; marking of ballot; casting vote; assistance

* * *

F. If a voter who is not affiliated with a political party receives an absentee ballot for the first party primary for a certain major political party in an election for a party primary office and would like to choose the ballot for the first party primary of a different major political party before his ballot has been cast and returned to the registrar, he may obtain a replacement ballot from the registrar.

Section 3. Section 2 of Act No. 1 of the 2024 First Extraordinary Session of the Legislature is hereby amended and reenacted to read as follows:

"Section 2. ~~This~~ (A) Solely for the purposes of qualifying for elections in 2026 and for other activities and requirements related to the conduct of elections in 2026, the provisions of Section 1 of this Act shall become effective on June 12, 2025.

(B) For all other purposes, the provisions of this Act shall become effective on January 1, 2026."

Section 4. Section 5 of Act No. 640 of the 2024 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

"Section 5.(A) Solely for the purposes of qualifying for elections in 2026 and for other activities and requirements related to the conduct of elections in 2026, the provisions of this Act shall become effective on ~~August 1, 2025~~ June 12, 2025.

1 (B) For all other purposes, the provisions of this Act shall become
2 effective on January 1, 2026."

3 Section 5.(A)(1) R.S. 18:467 as amended and reenacted by Act No. 640 of the 2024
4 Regular Session of the Legislature shall supersede R.S. 18:467(introductory paragraph) as
5 amended and reenacted by Act No. 1 of the 2024 First Extraordinary Session of the
6 Legislature.

7 (2) R.S. 18:410.6 as amended and reenacted by Act No. 640 of the 2024 Regular
8 Session of the Legislature shall supersede R.S. 18:410.6 as enacted by Act No. 1 of the 2024
9 First Extraordinary Session of the Legislature.

10 (3) R.S. 18:410.10 as amended and reenacted by Act No. 640 of the 2024 Regular
11 Session of the Legislature shall supersede R.S. 18:410.10 as enacted by Act No. 1 of the
12 2024 First Extraordinary Session of the Legislature.

13 (B) R.S. 18:192(A)(1) and (2), 402(A)(1), (D), and (E)(1), 410.1 through 410.3,
14 410.4(B), 410.5(A), 410.6(B)(1) and (2), 410.7(A), (B)(1) and (2), and (C), 410.8, 410.9(A),
15 and 1285(B)(1)(a) as amended and reenacted by this Act shall supersede those provisions
16 as amended and reenacted in Act No. 1 of the 2024 First Extraordinary Session of the
17 Legislature and Act No. 640 of the 2024 Regular Session of the Legislature.

18 (C) R.S. 18:192(A)(1), 402(E)(1), and 1285(B)(1)(a) as amended and reenacted in
19 Section 2 of this Act shall, on the effective date of Section 2 of this Act, supersede those
20 provisions as amended and reenacted in Section 1 of this Act.

21 Section 6. R.S. 18:1280.21(C) and (D), 1280.21.1, and 1371(A)(2)(c) are hereby
22 repealed in their entirety.

23 Section 7. Section 2 of Act No. 640 of the 2024 Regular Session of the Legislature
24 is hereby repealed in its entirety.

25 Section 8.(A) The Louisiana State Law Institute is authorized and directed to arrange
26 in alphabetical order and renumber the definitions contained in R.S. 18:2 and to correct any
27 cross-references to the renumbered Paragraphs if necessary, consistent with the provisions
28 of this Act.

29 (B) The Louisiana State Law Institute is authorized and directed to redesignate the
30 references to R.S. 18:402(B) and (C) that appear in R.S. 18:513(A)(5), R.S. 33:383(A), and
31 R.S. 33:1885 to reference R.S. 18:402.

1 Section 9.(A) Sections 1, 6, and 8 of this Act shall become effective August 1, 2025.

2 (B)(1) Solely for the purposes of qualifying for elections in 2026 and for other
3 activities and requirements related to the conduct of elections in 2026, Section 2 of this Act
4 shall become effective June 12, 2025.

5 (2) For all other purposes, the provisions of Section 2 of this Act shall become
6 effective January 1, 2026.

7 (C) This Section and Sections 3, 4, 5, and 7 of this Act shall become effective upon
8 signature by the governor or, if not signed by the governor, upon expiration of the time for
9 bills to become law without signature by the governor, as provided by Article III, Section
10 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved
11 by the legislature, this Section and Sections 3, 4, 5, and 7 of this Act shall become effective
12 on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____