

SENATE BILL NO. 319

BY SENATOR PRESSLY

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AN ACT

To amend and reenact R.S. 18:431(A)(1)(b)(iii) and (B)(1), 433(A)(3), 562(A), 571(A)(8), 573(E), and 1309(D), relative to election commissioners; to provide for course of instruction for commissioners; to provide for instructions to voters without picture identification; to provide for identification documentation requirements for voters; to provide for voting termination procedures; to provide for election result evidence; to provide for early voting voter verification identification; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:431(A)(1)(b)(iii) and (B)(1), 433(A)(3), 562(A), 571(A)(8), 573(E), and 1309(D) are hereby amended and reenacted to read as follows:

§431. Commissioners; courses of instruction; certificates; reports; list of certified persons furnished by parish board of election supervisors

A.(1)(a) * * *

(b) The clerk shall provide the following in accordance with minimum standards issued by the secretary of state to the persons who attend the course of instruction:

* * *

(iii) Instruction on a commissioner's duty to offer any voter who does not have picture identification ~~an affidavit to sign to that effect~~ as provided in R.S. 18:562(A)(2)(a) the opportunity to provide identification in accordance with R.S. 18:562(A)(2)(c) and (d).

* * *

B.(1) The clerk of court shall conduct a course of instruction for commissioners-in-charge, commissioners, and alternate commissioners who are

1 selected to serve in each election. The course shall be held after the selection of these
 2 officials but not less than four days prior to each election. The course shall primarily
 3 cover the procedures to be used in the election for which the officials were selected.
 4 The clerk of court shall instruct the commissioners-in-charge, commissioners, and
 5 alternate commissioners that it is their duty to offer any voter who does not have
 6 picture identification as provided in R.S. 18:562 ~~an affidavit to sign to that effect~~
 7 **(A)(2)(a) the opportunity to provide identification in accordance with R.S.**
 8 **18:562(A)(2)(c) and (d).**

9 * * *

10 §433. Commissioners-in-charge; course of instruction; selection; commission;
 11 disqualification; replacement

12 A. Course of instruction. (1) * * *

13 * * *

14 (3) During the week prior to the date scheduled for the course of instruction,
 15 the clerk shall notify each commissioner of the date, time, and place where he will
 16 conduct the course of instruction. The course of instruction shall include but shall not
 17 necessarily be restricted to instruction in the operating of voting machines, relevant
 18 laws and regulations concerning the conduct of elections, and matters pertaining to
 19 the powers and duties of commissioners-in-charge. The clerk shall instruct the
 20 commissioners-in-charge that it is their duty to ~~offer~~ **inform** any voter who does not
 21 have picture identification as provided in R.S. 18:562(A) ~~an affidavit to sign to that~~
 22 ~~effect~~ **(2)(a) of the opportunity to provide identification in accordance with R.S.**
 23 **18:562(A)(2)(c) and (d).**

24 * * *

25 §562. Prerequisites to voting

26 A. Identification of voters.

27 (1) A person who desires to vote in a primary or general election shall give
 28 his name and address to a commissioner, who shall announce the applicant's name
 29 and address to the persons at the polling place.

30 (2)(a) Each applicant shall identify himself, in the presence and view of the

1 bystanders, and present to the commissioners one of the following:

2 (i) A Louisiana driver's license;

3 ~~(ii) a~~ **A Louisiana special identification card issued pursuant to R.S. 40:1321;**
 4 ~~or other generally recognized picture identification card that contains the name and~~
 5 ~~signature of the applicant.~~

6 **(iii) A United States passport book.**

7 **(iv) A United States Certificate of Citizenship that contains the**
 8 **applicant's name, picture, and signature.**

9 **(v) A United States Certificate of Naturalization that contains the**
 10 **applicant's name, picture, and signature.**

11 **(vi) A tribal identification card issued by a tribe recognized by the state**
 12 **of Louisiana or the federal government that contains the applicant's name,**
 13 **picture, and signature.**

14 ~~(ii)~~**(vii)** A United States military identification card that contains the
 15 applicant's name and picture.

16 (b) If the applicant does not have one of the forms of identification provided
 17 in Subparagraph (a) of this Paragraph, the applicant shall ~~complete and sign an~~
 18 ~~affidavit, which is supplied by the secretary of state, to that effect before the~~
 19 ~~commissioners, which affidavit shall include the applicant's date of birth and~~
 20 ~~mother's maiden name. If the applicant is unable to read or write or is otherwise~~
 21 ~~unable to complete the affidavit due to disability, the applicant may receive~~
 22 ~~assistance in completing the affidavit and the commissioner shall make a notation~~
 23 ~~on the affidavit. The applicant may receive the assistance of any person of his choice,~~
 24 ~~including a commissioner, except a candidate, commissioner-in-charge, the~~
 25 ~~applicant's employer or employer's agent, or the applicant's union agent. The~~
 26 ~~commissioners shall place the affidavit in the envelope marked "Registrar of Voters"~~
 27 ~~and attach the envelope to the precinct register. However, an applicant who is~~
 28 ~~allowed to vote without the picture identification required by Subparagraph (a) of~~
 29 ~~this Paragraph is subject to challenge as provided in R.S. 18:565~~ **present two forms**
 30 **of identification consisting of either two primary documents listed in**

1 **Subparagraph (c) or one primary document listed in Subparagraph (c) and one**
2 **secondary document listed in Subparagraph (d).**

3 **(c) Primary documents.**

4 **(i) An original or certified domestic birth certificate.**

5 **(ii) Birth registration card or certificate issued by the state bureau of**
6 **vital statistics.**

7 **(iii) Certificate of Birth Abroad issued by the United States Department**
8 **of State.**

9 **(iv) Certificate of Naturalization.**

10 **(v) Certificate of Citizenship.**

11 **(vi) Social Security card.**

12 **(vii) United States passport card.**

13 **(viii) Tribal identification card issued by a tribe recognized by the state**
14 **of Louisiana or the federal government that does not contain the applicant's**
15 **picture or signature.**

16 **(ix) A United States veteran health identification card.**

17 **(d) Secondary documents.**

18 **(i) Voter registration notice.**

19 **(ii) Current utility bill, not more than twelve months old, containing the**
20 **name and address of the voter.**

21 **(iii) Bank statement, not more than twelve months old, containing the**
22 **name and address of the voter.**

23 **(iv) Government check or document, not more than twelve months old,**
24 **containing the name and address of the voter.**

25 **(v) Paycheck or pay stub, not more than twelve months old, containing**
26 **the name and address of the voter.**

27 **(e) If the applicant does not have one of the forms of identification**
28 **provided in Subparagraphs (a) through (d) of this Paragraph, the applicant**
29 **shall go to any office of the registrar of voters in the parish in which the**
30 **applicant is registered to cast a conditional paper ballot no later than 8:00 p.m.**

1 on election day. No later than 4:30 pm on the second day following the election,
2 the applicant shall also appear in person to present to the registrar of voters
3 identification as provided in 18:562(A)(2)(a) through (d).

4 (f) All conditional paper ballots shall be presented to the parish board
5 of election supervisors for counting or rejection prior to the compilation of
6 returns pursuant to R.S. 18:574 at the office of the registrar of voters or at a
7 public facility within the parish designated by the parish board of election
8 supervisors. If the applicant has presented identification in accordance with this
9 Subsection, the board shall count the conditional paper ballot. If the applicant
10 failed to present identification in accordance with this Subsection, the board
11 shall reject the conditional paper ballot.

12 (g) The secretary of state shall promulgate rules in accordance with the
13 Administrative Procedure Act necessary to effectuate the provisions of this
14 Section.

15 * * *

16 §571. Procedures for commissioners after termination of voting

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

20 * * *

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

29 * * *

30 §573. Evidence of election results

* * *

1
2 E. Transmission and disposition of original challenges, ~~duplicate voters'~~
3 ~~affidavits~~, and address confirmation notices. (1) At the opening of the voting
4 machines, the sealed precinct registers shall be immediately returned to the registrar
5 of voters. Upon receipt of the sealed precinct registers, the registrar shall remove any
6 attached original record of challenges of voters made during the election, any
7 precinct register correction affidavits, ~~any voter identification affidavits made~~
8 ~~pursuant to R.S. 18:562~~, any address confirmation notices, any voter assistance
9 forms, any certificates, any copies of disability documentation, and any completed
10 voter registration applications.

11 (2) The registrar shall utilize the procedures set forth in Part V of Chapter 4
12 of this Code to determine the validity of the registration of each challenged voter
13 who did not submit an address confirmation notice. In any instance where an address
14 confirmation notice was received that stated an address different from the address
15 on file in the registrar's office for a registrant, the registrar shall change the
16 registrant's address to the address on the address confirmation notice if the change
17 of address is in the parish; transfer the registrant's registration to another parish if the
18 address on the address confirmation notice is in another parish; or cancel the
19 registration if the address on the address confirmation notice is in another state. If an
20 address confirmation notice was received that affirmed the address on file in the
21 registrar's office, the registrar shall reinstate the registrant to the official list of voters
22 if the registrant appears on the inactive list of voters. If the address confirmation
23 notice was a result of a valid challenge, the registrar shall so inform the district
24 attorney and shall transmit to him the address confirmation notice of that person.

25 (3) ~~The registrar also shall proceed to determine if each voter submitting a~~
26 ~~voter identification affidavit made pursuant to R.S. 18:562 attesting that he is a~~
27 ~~qualified registered voter is in fact a registered voter qualified to vote in the election~~
28 ~~by comparing the information provided by the voter with the information on file in~~
29 ~~the registrar's office and by reasonably comparing the signature on the affidavit with~~
30 ~~any signature on file for the voter in the registrar's office. If the registrar determines~~

1 that any person who has voted in the election by virtue of his submission of such an
2 affidavit was not a registered voter qualified to vote in the election, the registrar shall
3 so inform the elections compliance unit and shall transmit to it the affidavit of that
4 person.

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

9 * * *

10 §1309. Early voting; verification

11 * * *

12 D.(1)(a) Before any voter is allowed to vote during early voting, the registrar
13 or his deputy shall establish the voter's identity by requiring him to submit one of the
14 following:

15 (i) A Louisiana driver's license;

16 ~~(ii) a~~ **A Louisiana special identification card issued pursuant to R.S. 40:1321;**
17 ~~or other generally recognized picture identification card that contains the name and~~
18 ~~signature of the voter.~~

19 ~~(ii)~~ **(iii) A United States military identification card that contains the voter's**
20 **name and picture;**

21 **(iv) A United States passport book.**

22 **(v) A United States Certificate of Citizenship that contains the**
23 **applicant's name, picture, and signature.**

24 **(vi) A United States Certificate of Naturalization that contains the**
25 **applicant's name, picture, and signature.**

26 **(vii) A tribal identification card issued by a tribe recognized by the state**
27 **of Louisiana or the federal government that contains the applicant's name,**
28 **picture, and signature.**

29 (b) If the voter does not have one of the forms of identification provided in
30 Subparagraph (a) of this Paragraph, the voter shall complete and sign, in the presence

1 of the registrar or his deputy, a voter identification affidavit to that effect provided
 2 by the secretary of state, which affidavit shall include the voter's date of birth and
 3 mother's maiden name. If the voter is unable to read or write or is otherwise unable
 4 to complete the affidavit due to disability, the voter may receive assistance in
 5 completing the affidavit, and the registrar or his deputy shall make a notation on the
 6 affidavit. The voter may receive the assistance of any person of his choice, including
 7 the registrar or his deputy, except a candidate, the voter's employer or employer's
 8 agent, or the voter's union agent. The registrar or his deputy shall retain the affidavit
 9 in the office of the registrar of voters. **present two forms of identification**
 10 **consisting of either two primary documents listed in Subparagraph (c) or one**
 11 **primary document listed in Subparagraph (c) and one secondary document**
 12 **listed in Subparagraph (d).**

13 **(c) Primary documents.**

14 **(i) An original or certified domestic birth certificate.**

15 **(ii) Birth registration card or certificate issued by the state bureau of**
 16 **vital statistics.**

17 **(iii) Certificate of Birth Abroad issued by the United States Department**
 18 **of State.**

19 **(iv) Certificate of Naturalization.**

20 **(v) Certificate of Citizenship.**

21 **(vi) Social Security card.**

22 **(vii) United States passport card.**

23 **(viii) Tribal identification card issued by a tribe recognized by the state**
 24 **of Louisiana or the federal government that does not contain the applicant's**
 25 **picture or signature.**

26 **(ix) A United States veteran health identification card.**

27 **(d) Secondary documents.**

28 **(i) Voter registration notice.**

29 **(ii) Current utility bill, not more than twelve months old, containing the**
 30 **name and address of the voter.**

1 (iii) Bank statement, not more than twelve months old, containing the
 2 name and address of the voter.

3 (iv) Government check or document, not more than twelve months old,
 4 containing the name and address of the voter.

5 (v) Paycheck or pay stub, not more than twelve months old, containing
 6 the name and address of the voter.

7 (e) If the voter does not have one of the forms of identification provided
 8 in Subparagraph (D)(1)(a)(i) through (d) of this Paragraph, the voter shall cast
 9 a conditional paper ballot. No later than 4:30 pm on the second day following
 10 the election, the voter shall also appear in person to present to the registrar of
 11 voters a form of identification as provided in 18:562(A)(2)(a) through (d).

12 (f) All conditional paper ballots shall be presented to the parish board
 13 of election supervisors for counting or rejection prior to the compilation of
 14 returns pursuant to R.S. 18:574 at the office of the registrar of voters or at a
 15 public facility within the parish designated by the parish board of election
 16 supervisors. The registrar of voters shall present the conditional paper ballot
 17 to the parish board of election supervisors for counting on the third day after
 18 the election. If the voter has presented identification in accordance with this
 19 Subsection, the board shall count the conditional paper ballot. If the voter failed
 20 to present identification in accordance with this Subsection, the board shall
 21 reject the conditional paper ballot.

22 (g) The secretary of state shall adopt guidance, pursuant to R.S. 18:18,
 23 necessary to effectuate the provisions of this Section.

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

28 ~~(d) A voter who votes without the picture identification required by~~
 29 ~~Subparagraph (a) of this Paragraph is subject to challenge as provided in R.S.~~
 30 ~~18:1315.~~

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

4 Section 2. This Act shall become effective on July 1, 2027.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____