

Existing law (R.S. 18:18) provides for the powers and duties of the secretary of state. Provides that he shall administer the laws relating to custody of voting machines and voter registration and provides specific duties. New law additionally provides that the secretary of state shall provide for the voluntary registration of individuals or entities that conduct voter registration drives in the state.

Existing law (R.S. 18:112) provides that whenever any change is made with respect to the registration of any person, the date of the change and all pertinent information concerning the change shall be entered by the registrar in the registrant's information on the state voter registration computer system.

Prior law additionally provided that if the original application was available in hard copy in the registrar's office, the information relative to the change was required to be entered on the original application for registration and any other official registration records. New law provides that instead of entering this information on the original application and other records, a document indicating the change shall be attached to the original application and other records.

Existing law provides for the registration of voters. Provides for application for registration at the office of the registrar, through Dept. of Public Safety and Corrections, through a designated voter registration agency, or by mail. Requires an applicant to establish his identity, age, and residency. Provides for the form of an application for registration. Provides for the content of the form. Provides procedures for verifying information submitted by an applicant in an application for registration by mail. Provides for mailing of a notification of missing information and for a notice of registration. Provides procedures for changes in registration.

Existing law (R.S. 18:115.1) provides that a person who has a valid La. driver's license or La. special identification card may apply to register to vote or make changes to his existing registration by completing and submitting an electronic voter registration application on the secretary of state's website. Provides for the content of the electronic voter registration application. Provides for immediate verification of the driver's license number or special identification card number submitted by the applicant. Provides that if a verification is made, the secretary of state shall electronically forward the information provided in the application to the appropriate registrar of voters to determine the eligibility of the applicant in accordance with existing law.

Prior law provided that an electronic voter registration application accepted by the secretary of state was considered an application for registration by mail. Provided for a verification mailing procedure to determine the eligibility of the applicant.

New law repeals prior law. Provides that provisions of existing law (R.S. 18:115(F)) that require a person to vote in person the first time after registering by mail shall apply to a person who has registered to vote electronically and who has not previously voted in the parish in which he is registered.

Existing law (R.S. 18:116) requires voter registration services to be provided at the following voter registration agencies:

- (1) Public assistance agencies that administer or provide services under the food stamp, Medicaid, the supplemental food for Women, Infants and Children, and the Family Independence Temporary Assistance Program programs, or their successors, and any other public assistance agencies the secretary of state shall designate by rule.
- (2) State offices that provide state-funded programs primarily engaged in providing services to persons with disabilities.
- (3) Recruitment offices of the Armed Forces of the U.S.

Existing law requires the secretary of state to designate by rule other offices as voter registration agencies which may include but are not limited to the following:

- (1) State or local governmental offices such as public libraries, public schools, including the office of a secondary school guidance counselor, offices of municipal clerks, and government revenue offices.
- (2) Federal and nongovernmental offices with the offices' agreement.

Prior law (R.S. 18:115(A)(3) and 116(E)) provided specific procedures for determining the eligibility of applicants who submitted voter registration applications through voter registration agencies. Generally, provided that if the information on such an application established that the applicant met the requirements for registration, the registrar was required to register the applicant and mail notice of registration to the applicant's residence. Provided that if the information contained on the application form was insufficient to register the applicant, the registrar of voters must have mailed a notice to the applicant at the address provided on the application form informing the applicant that he had 10 days from the date on which the notice was mailed to provide the necessary information. Provided that if the applicant failed to provide the necessary information within that time, the applicant could not be registered and the registrar was required to so advise the applicant.

New law repeals prior law. Provides that the eligibility of applicants who submit applications through voter registration agencies shall be determined according to existing law (R.S. 18:115(B)) procedures applicable to applicants who apply by mail for voter registration, which procedures include an initial verification mailing.

Existing law (R.S. 18:154) prohibits the registrar and the Dept. of State from disclosing certain voter information, including the driver's license number, social security number, and day and month of the birth of a voter.

New law additionally prohibits the disclosure of the short message service number of a registered voter and of an application to vote absentee by mail and the information therein until the applicant has returned his voted ballot to the registrar.

Existing law provides that a person who is interdicted shall not be permitted to register and vote. Requires reporting and provides procedures for suspension of voting rights based on interdiction. Existing law (R.S. 18:172) requires the clerk of court having jurisdiction over an interdiction to record each judgment of interdiction for mental incompetence which specifically suspends the right to register and vote and which has become definitive. Requires the clerk to transmit a certified copy of the judgment to the registrar.

Prior law additionally required the clerk to record the name, date of birth, sex, and address of the person interdicted. New law repeals prior law.

Existing law (R.S. 18:431) requires the clerk of court to conduct a general course of instruction for commissioners. Requires the clerk to issue a certificate to each person who attends the course of instruction and achieves a satisfactory score on the test issued by the secretary of state for that course.

Prior law provided that a certificate issued by the clerk was valid for the unexpired portion of the term of office of the clerk who conducted the course. New law provides instead that the certificate is valid through Dec. 31st of the year of expiration of the term of office of the clerk who conducted the course.

Prior law required the clerk to conduct the general course of instruction during the period beginning Aug. 1st through the end of Nov. of each year. New law provides that the period lasts through the end of Dec. instead of Nov.

Existing law requires the clerk to file with the parish board of election supervisors and secretary of state a certified list containing the name of each person to whom he has issued a certificate, together with the social security number, the party affiliation, the mailing address, and the ward in which each such person is registered to vote.

Prior law required the clerk to file the list on or before the last day of Nov. New law provides instead that the list must be filed on or before the last day of Dec.

Existing law (R.S. 18:463) requires the Supervisory Committee on Campaign Finance Disclosure to deliver informational packets containing reporting forms and instructions to all officials with whom candidates qualify for a primary election. Provides that the packet shall include a notice to the candidate that questions concerning the Campaign Finance Disclosure Act should be addressed to the supervisory committee, not the official with whom the candidate qualifies. If a candidate qualifies in person, requires such informational packets to be distributed upon receipt of the candidate's notice of candidacy. Provides that if a candidate qualifies by submitting his notice of candidacy by certified mail, commercial carrier, or agent, the packet shall be mailed to the candidate.

Prior law required that the informational packets be mailed to the candidate at the address of his domicile as set forth in the notice of candidacy within 48 hours after receipt of the notice of candidacy. New law provides instead that the packets are mailed to the candidate at his mailing address if one is provided. Provides that the address of his domicile is used if no mailing address is provided. Provides further that the packets shall be mailed within two business days after receipt of the notice of candidacy instead of within 48 hours.

Existing law (R.S. 18:463) relative to candidates and the notice of candidacy requires a person who desires to become a candidate in a primary election to qualify by timely filing a notice of candidacy accompanied by either a nominating petition or the qualifying fee and any additional fees. Provides relative to the content of a notice of candidacy. Provides that no changes to the information contained in a notice of candidacy shall be made after the close of qualifying, except to correct an error made by the qualifying official who entered the information into the database of the Dept. of State.

New law additionally provides that a candidate who has filed a notice of candidacy may change the information contained therein by filing a new notice of candidacy and paying the qualifying fee during the qualifying period. Provides that a candidate who is serving in the armed forces of the U.S. and who is stationed or deployed outside of the U.S. shall not be required to pay the qualifying fee.

Existing law (R.S. 18:465) provides requirements and procedures for nominating petitions. Requires a nominating petition to be filed with the official with whom the candidate qualifies and to accompany the notice of candidacy. Provides that a person may only be nominated as a candidate by persons who are registered to vote on the office he seeks who sign a petition no more than 120 days before the opening of the qualifying period. Provides the number of signatures required for each office. Requires nominating petitions to be certified by the registrar of voters in the parish where the signers reside.

Existing law requires nominating petitions to be filed with the appropriate registrar at least 14 days before the qualifying period ends for special elections involving a vacancy in state legislative office or in the office of representative in congress.

Prior law required nominating petitions to be filed at least 30 days before the end of the qualifying period for all other elections. New law applies the 14-day deadline to nominating petitions for all special elections to fill a newly created office or vacancy in any office. Applies the 30-day deadline to all other elections.

Existing law (R.S. 18:468) provides for the opening and closing of qualifying periods for elections. In each case, prior law provided that the qualifying period ended at 5:00 p.m. on a specified day. New law provides that the qualifying period ends at 4:30 p.m.

Existing law (R.S. 18:501) allows a candidate to withdraw from an election prior to the close of the polls on election day by filing notice of his withdrawal, signed by the candidate and duly acknowledged by him before an officer authorized to administer oaths, with the secretary of state who is required to forward a copy of the notice of withdrawal filed by a local or municipal candidate to the president of the board of election supervisors and the clerk of court.

Prior law provided that if the withdrawal was filed prior to the 56th day before the election, 50% of the qualifying fee paid by the candidate was refunded by the state treasurer. Provided that if the withdrawal was filed on or after the 56th day before the election, the deposit was not refunded. However, provided that if the 56th day fell on or before the seventh day

following the last day for qualifying, the candidate had until the seventh day following the last day for qualifying to receive a refund. New law repeals prior law.

Existing law (R.S. 18:513) requires the secretary of state to certify the election of each candidate elected to public office. Specifies the appropriate official to whom the secretary of state shall make such certification. Provides that the certification must be made within 30 days after the date of the general election for candidates elected for a full term. Provides that the certification shall be made promptly for candidates elected for an unexpired term.

Existing law provides that when a reapportionment or redistricting plan fails to receive preclearance pursuant to federal law by the deadline set forth in existing law (R.S. 18:1941 or 1942) and there is a postponement of the election, the secretary of state shall certify the name of any candidate elected at the postponed election to the appropriate official named in existing law.

Prior law provided that a certification for a postponed election was made as follows:

- (1) Following the close of qualifying and prior to the primary election if the candidate was declared elected without opposition.
- (2) Following the primary election and prior to the general election if the candidate was elected at the primary election.
- (3) Following the general election if the candidate was elected at the general election.

Prior law provided that if the secretary of state could not immediately determine which office and term of office to which a newly elected official had been elected, the secretary of state was not to certify any candidate for the postponed election until the general election had been held. Provided further that following the general election, the secretary of state was to promptly certify the name of any candidate elected at the postponed election to the appropriate official named in existing law.

New law repeals prior law. Provides instead that when an election is postponed because a reapportionment or redistricting plan fails to receive preclearance, the secretary shall make the certification within 30 days of the date that every candidate to be elected at the election pursuant to the reapportionment or redistricting plan has been elected.

Existing law (R.S. 18:561) requires duplicate poll lists, numbered consecutively from one to the end, to be kept at each polling place. Requires the name of every person who votes at the polling place to be entered on the poll lists.

Prior law required the commissioners at each polling place to keep the duplicate poll lists and enter the names. New law specifies that two commissioners at each polling place shall keep the duplicate poll lists and that each such commissioner shall enter the names.

Existing law (R.S. 18:571) provides procedures for counting and tabulating votes on election day. Requires the commissioners to complete in duplicate an affidavit. Provides that the affidavit shall contain the name and address of each commissioner and shall be signed by each commissioner.

Prior law referred to the affidavit as the "payroll" affidavit. Required the commissioner-in-charge to complete and sign the affidavit. Required the affidavit to contain the social security numbers of the commissioners and commissioner-in-charge. New law deletes the term "payroll" in references to the affidavit. Requires the affidavit to contain the last four digits of the social security number instead of the entire number. Requires the affidavit to contain an acknowledgment that the law prohibits disclosure of confidential voter information listed in the precinct register. Provides that the affidavit shall be signed by each commissioner, and the original affidavit shall be placed in the bag that is delivered to the clerk of court.

Existing law (R.S. 18:573) provides for the opening of voting machines three days after the election and the verification of election results on each machine. Allows candidates and their representatives to be present during this process and to inspect the machines. Provides that upon written request to the clerk of court, a candidate may reinspect a machine on the fifth

day after the election. Provides that the candidate requesting reinspection is responsible for all reasonable costs associated with such reinspection.

New law additionally provides that reinspection costs shall be payable to the clerk of court. Provides that the costs shall be paid at the time the written request for reinspection of voting machines is filed with the clerk of court and shall be paid in cash or by certified or cashier's check on a state or national bank or credit union, U.S. postal money order, or money order issued by a state or national bank or credit union.

Existing law (R.S. 18:1253) provides for nominations for candidates for presidential electors made by recognized political parties. Provides for the filing of a certificate of nomination with the secretary of state. Provides that if the required information is not certified to the secretary of state prior to a first deadline, the national chairman of the political party, after notifying the chairman of the state central committee of that political party, shall certify a slate of electors to support such nominees by a second deadline.

Prior law provided that the first deadline was 5:00 p.m. on the first Tues. in Sept. of the presidential election year and that the second deadline was 5:00 p.m. on the first Fri. following the first deadline. New law changes the first deadline to 4:30 p.m. on the third Tues. in August. Changes the second deadline to 4:30 p.m. on the first Fri. following the first deadline.

Existing law (R.S. 18:1254) provides for the nomination of a slate of independent candidates for presidential elector. Provides for the filing of a nominating petition or qualifying fee along with a notice of candidacy.

Prior law provided that the period for filing such qualifying fee began on the first Tues. in Aug. and ended at 5:00 p.m. on the first Fri. following the first Tues. in Sept. of each year in which a presidential election is to be held. New law changes the beginning of the period to the third Tues. in July and changes the end of the period to 4:30 p.m. on the first Fri. following the third Tues. in Aug.

Existing law (R.S. 18:1255) provides that all nominating petitions of presidential electors shall be filed with the secretary of state during a specified period. Requires the secretary of state to endorse on the nominating petitions the date and time of filing. Provides that any nominating petitions submitted other than during such period shall be null and void and shall not be accepted by the secretary of state.

Prior law provided that the period for filing a nominating petition began on the first Tues. in Aug. and ended at 5:00 p.m. on the first Fri. following the first Tues. in Sept. of each year in which a presidential election was to be held. New law changes the beginning of the period to the third Tues. in July and changes the end of the period to 4:30 p.m. on the first Fri. following the third Tues. in Aug.

Existing law (R.S. 18:1306) provides for the preparation and distribution of absentee by mail ballots and voting paraphernalia. Provides for the design and content of ballots. Provides deadlines for delivering ballots and voting paraphernalia to registrars. Existing law (R.S. 18:1308.2) provides for absentee ballots and other voting materials for federal elections. Provides deadlines for delivering such ballots and other materials to registrars.

Prior law required the absentee by mail ballot for presidential elections to contain only presidential candidates and the absentee by mail ballot envelope for presidential elections to be marked "Presidential Ballot Only". New law repeals prior law.

Existing law (R.S. 18:1308) provides procedures and requirements for voting absentee by mail. Requires the registrar to mail the necessary instructions, certificates, ballots, and envelopes to an applicant.

Prior law required the envelope mailed to the voter to contain four envelopes, two of which were to be ballot envelopes and two of which were to be return envelopes. New law removes the specified number of ballot envelopes that must be mailed and provides that one return envelope must be mailed.

Existing law (R.S. 18:1309) provides for early voting. Provides that upon approval of the secretary of state, a registrar of voters may utilize trained commissioners to assist during the early voting period. Requires a registrar, in seeking the approval of the secretary of state, to indicate the number of commissioners required. Provides that a commissioner who assists in the conduct of early voting shall be paid in accordance with existing law (R.S. 18:426.1(3)).

New law additionally provides that a commissioner who is to assist during early voting shall take an oath of office as a deputy registrar and shall complete an affidavit prepared by the secretary of state and an acknowledgment that the law prohibits the disclosure of confidential voter information. Provides that the affidavit shall be retained in the office of the registrar of voters.

Existing law (R.S. 18:1313) provides that the parish board of election supervisors shall be responsible for the counting and tabulation of all absentee by mail and early voting ballots in the parish and provides procedures therefore. Provides that such ballots shall be counted on election day at a time fixed by the parish board of election supervisors, which time shall be set no later than 8:00 p.m.

Prior law provided that the time for the counting of absentee by mail and early voting ballots could not be earlier than 1:00 p.m. New law repeals prior law.

New law requires that the special absentee ballots cast by members of the U.S. Service or persons who reside outside of the U.S. be counted by hand.

Prior law referred to commissioners who assist the parish board in counting absentee by mail and early voting ballots "absentee by mail and early voting commissioners". New law instead refers to such commissioners as "parish board commissioners".

Existing law provides that if the number of absentee by mail and early voting ballots cast for all candidates for an office could make a difference in the outcome of the election for such office, upon the written request of a candidate for such office, the parish board shall recount the absentee by mail ballots by hand or scanning equipment and early voting ballots electronically, unless paper ballots were used for early voting and in such case, the ballots shall be recounted by hand for such office. Provides procedures and deadlines for such recount and for making requests for recount. Provides that the candidate requesting the recount shall be responsible for all reasonable costs associated with such recount.

New law additionally provides that recount costs shall be payable to the clerk of court. Provides that the costs shall be paid at the time the written request for the recount is filed with the clerk of court and shall be paid in cash or by certified or cashier's check on a state or national bank or credit union, U.S. postal money order, or money order issued by a state or national bank or credit union.

Existing law (R.S. 18:1306) requires absentee by mail or early voting ballot envelopes to contain a perforated extension or flap below the sealing line. Requires the flap to bear a certificate prescribed by the secretary of state and approved by the attorney general which contains the full name and place of residence of the voter in La., including state, parish, ward, precinct, city, and street; the statement of the voter certifying that he applied for the ballot, marked the enclosed ballot(s) himself or that they were marked for him according to his instructions and in his presence; the statement of the voter that he is entitled to vote at the precinct he names; authorization to the parish board of election supervisors to open the envelope and count his ballot; his mother's maiden name; an affidavit followed by a line for the handwritten signature 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; spaces for the state and parish or county where it is executed, if executed outside the voter's parish of registration; and a line for the handwritten signature of one witness.

Existing law (R.S. 18:1313) provides that the parish board uses the information on the absentee by mail or early voting envelope flaps in counting and tabulating absentee by mail and early voting ballots. Provides that a candidate or his representative, in the presence of a majority of the parish board of election supervisors, shall be allowed to inspect the flaps. Provides procedures and deadlines for such inspection. Provides that the candidate

requesting the inspection shall be responsible for all reasonable costs associated with such inspection.

New law additionally provides that costs associated with such inspection shall be payable to the clerk of court. Provides that the costs shall be paid at the time the written request for the inspection is filed with the clerk of court and shall be paid in cash or by certified or cashier's check on a state or national bank or credit union, U.S. postal money order, or money order issued by a state or national bank or credit union.

Existing law (R.S. 18:1373) provides relative to preparation of voting machines, including testing and adjusting of machines. Provides for notice and procedures. Provides for observation and examination by a candidate, his representative, or a citizen of the parish. New law adds to the list of persons who may be present for the preparation of voting machines a member of the parish board of election supervisors.

New law provides that no person shall knowingly, willfully, or intentionally for purposes other than fulfilling the person's duties relative to registration of voters as provided by law, copy or reproduce a voter registration application. Provides that whoever violates new law shall be fined not more than \$2,000 or be imprisoned, with or without hard labor, for not more than two years, or both, for the first offense. Provides that on a second offense, or any subsequent offense, the penalty shall be a fine of not more than \$5,000 or imprisonment at hard labor for not more than five years, or both.

Existing law (R.S. 18:1402) provides that the official before whom the candidate qualified is a proper party against whom a suit objecting to candidacy shall be instituted. Provides that the secretary of state is a proper party against whom a suit contesting an election shall be instituted. Provides that the secretary of state shall be made a party defendant to any action contesting an election for public office or an election for the recall of a public officer, any action objecting to the calling of a special election, and any action contesting the certification of a recall petition.

Existing law prohibits assessing court costs against the secretary of state when he is named as a defendant in an action contesting an election or in an action contesting the certification of a recall petition. New law prohibits assessing costs of court against the secretary of state when he is named as a defendant in any action objecting to candidacy or objecting to the calling of a special election.

New law makes various technical changes.

Effective upon signature of governor (June 18, 2013), except that provisions relative to voter registration online and through voter registration agencies are effective August 1, 2013, and provisions relative to registration of individuals and entities who conduct voter registration drives are effective January 1, 2014.

(Amends R.S. 18:112, 115.1(F), 116(E), 154(G), 172, 425(A)(1), 431(A)(2)(a) and (4), 433(A)(1) and (5), (B)(1), and (D), 463(D) and (E), 465(E)(1)(a), 468, 469(A) and (B), 501, 513(C), 561, 571(A)(6) and (7), 573(A)(3), 1253(E), 1254(A), 1255(A), 1308(A)(2)(g) and (h)(i), 1308.2(A)(1), 1309(I), 1309.3(D)(1)(b), 1313(A), (B), (C)(2), (F)(11), and (I)(2)(d) and (3), 1314, 1373(A)(5), 1402(C), and 1462(A)(intro. para.) and (2); Adds R.S. 18:18(A)(9), 154(C)(1)(g), 1402(D), and 1461.2(A)(9); Repeals R.S. 18:115(A)(3) and 1309(E)(1))