
DIGEST

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Connick

HB No. 354

Abstract: Provides for the use of provisional ballots in all elections instead of in only federal elections.

Present law (R.S. 18:566) provides that when an applicant's name does not appear on the precinct register and the registrar of voters has not authorized the applicant to vote by affidavit, or the commissioners assert that the applicant is not eligible to vote, and the applicant declares himself to be a registered voter and eligible to vote in the election, the applicant may cast a provisional ballot. Proposed law retains present law.

Present law limits the use of provisional ballots to elections for federal office. Proposed law repeals present law.

Present law provides procedures for provisional voting at a polling place and during early voting. Provides that the applicant shall first fill in the blanks on the provisional ballot envelope flap and sign the certificate on the envelope flap in the presence of election officials attesting that he is a registered voter in the parish and is eligible to vote in the election for federal office. Requires the applicant to then sign the register. Requires the election official to record the provisional ballot number on the provisional ballot envelope and provide the applicant the provisional ballot envelope and the provisional ballot listing the federal offices. Provides that the applicant shall then mark the provisional ballot according to the printed instructions on its face, place the ballot in the provisional ballot envelope, seal the envelope, and return the provisional ballot envelope to the election official. Provides that the applicant shall be allowed to mark the provisional ballot in an area and in a manner that protects the secrecy of his vote. Requires an election official to provide an applicant who casts a provisional ballot with written instructions for how the applicant may ascertain whether the provisional vote was counted and, if the provisional vote was not counted, the reason the vote was not counted.

Proposed law repeals references in present law to elections for federal office. Otherwise retains present law. Provides that such procedures shall be utilized for each provisional ballot that an applicant casts, except that the applicant shall only be required to sign the register once.

Present law (R.S. 18:566.2 and 574) provides procedures for the tabulation and counting of provisional ballots and for the compilation and promulgation of returns. Proposed law repeals references in present law to federal elections. Expressly provides for the counting, compilation, and promulgation of votes for and against a proposition in addition to votes for each candidate. Otherwise retains present law.

Effective Jan. 1, 2015.

(Amends R.S. 18:566(A), (B)(intro. para.) and (1), (C), and (D)(intro. para.) and (1), 566.2(B), (E), and (F)(7), and 574(A)(2))