

2016 Regular Session

HOUSE BILL NO. 654

BY REPRESENTATIVE GREGORY MILLER

VOTERS/VOTING: Provides relative to voting by certain persons who are entitled to assistance

1 AN ACT

2 To enact R.S. 18:564(D)(3) and 1309.3(D)(3), relative to voting; to provide for eligibility
3 for receiving assistance in voting on election day and during early voting; to provide
4 procedures and requirements for receiving assistance in voting; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:564(D)(3) and 1309.3(D)(3) are hereby enacted to read as
8 follows:

9 §564. Assistance in voting on election day

10 * * *

11 D.

12 * * *

13 (3) If a person who has a visible physical disability seeks to receive
14 assistance in voting on election day but the person has not complied with the
15 provisions of Paragraph (1) of this Subsection and does not have documentation to
16 present to the commissioner-in-charge pursuant to Paragraph (2) of this Subsection,
17 the person shall complete and sign an affidavit supplied by the secretary of state
18 stating that he is unable to vote without assistance because of a physical disability
19 and stating the nature of the disability. The affidavit shall include the person's date
20 of birth and mother's maiden name. If the person is unable to read or write or is

1 otherwise unable to complete the affidavit due to disability, the person may receive
 2 assistance in completing the affidavit and the commissioner shall make a notation
 3 on the affidavit. The person may receive the assistance of any person of his choice,
 4 including a commissioner, except a candidate, commissioner-in-charge, the person's
 5 employer or employer's agent, or the person's union agent. The commissioners shall
 6 place the affidavit in the envelope marked "Registrar of Voters" and attach the
 7 envelope to the precinct register. The person shall then be allowed to receive
 8 assistance in voting.

9 * * *

10 §1309.3. Assistance in voting during early voting

11 * * *

12 D.

13 * * *

14 (3) If a person who has a visible physical disability seeks to receive
 15 assistance in voting during early voting but the person cannot comply with
 16 Paragraphs (1) and (2) of this Subsection, the person shall complete and sign an
 17 affidavit supplied by the secretary of state stating that he is unable to vote without
 18 assistance because of a physical disability and stating the nature of the disability.
 19 The affidavit shall include the person's date of birth and mother's maiden name. If
 20 the person is unable to read or write or is otherwise unable to complete the affidavit
 21 due to disability, the person may receive assistance in completing the affidavit and
 22 the commissioner shall make a notation on the affidavit. The person may receive the
 23 assistance of any person of his choice, including a commissioner, except a candidate,
 24 commissioner-in-charge, the person's employer or employer's agent, or the person's
 25 union agent. The commissioners shall place the affidavit in the envelope marked
 26 "Registrar of Voters" and attach the envelope to the precinct register. The person
 27 shall then be allowed to receive assistance in voting.

28 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 654 Original

2016 Regular Session

Gregory Miller

Abstract: Allows a person with a visible physical disability to execute an affidavit in order to receive assistance in voting on election day and during early voting.

Present law (R.S. 18:564 and 1309.3) provides for assistance in voting on election day and during early voting. Requires a person who seeks assistance in voting to file certain required documentation with the registrar prior to voting or to present certain documentation to election officials at the polls.

Proposed law retains present law. Provides, however, that a person with a visible physical disability who cannot meet the requirements of present law shall complete and sign an affidavit supplied by the secretary of state stating that he is unable to vote without assistance because of a physical disability and stating the nature of the disability. Requires the affidavit to include the person's date of birth and mother's maiden name. Provides that if the person is unable to read or write or is otherwise unable to complete the affidavit due to disability, the person may receive assistance in completing the affidavit and the commissioner shall make a notation on the affidavit. Provides that the person may receive the assistance of any person of his choice, including a commissioner, except a candidate, commissioner-in-charge, the person's employer or employer's agent, or the person's union agent. Requires the commissioners to place the affidavit in the envelope marked "Registrar of Voters" and attach the envelope to the precinct register. Provides that the person shall then be allowed to receive assistance in voting.

(Adds R.S. 18:564(D)(3) and 1309.3(D)(3))