
DIGEST

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HB 614 Engrossed

2016 Regular Session

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Abstract: Provides for procedures for voting using absentee by mail materials sent electronically, and requires the registrar to send such materials electronically to certain voters with disabilities upon request.

Present law (R.S. 18:1303) authorizes certain persons to vote absentee by mail, including a person who participates in a former program for persons with physical disabilities and a qualified voter who submits certain required proof of a physical disability.

Present law (R.S. 18:1308) requires the registrar to mail absentee by mail voting materials to a person who has applied to vote absentee by mail. Authorizes the registrar to transmit such materials by facsimile if the voter feels he will not have time to vote timely by mail. Authorizes the registrar to transmit such materials electronically to certain hospitalized voters, to members of the U.S. Service, and to persons residing outside the U.S. who are registered to vote. Requires the materials to include the necessary instructions, certificates, ballots, and waiver of the right to a secret ballot. Provides for the content of the waiver. Authorizes certain methods for returning materials to the registrar.

Proposed law retains present law. Additionally requires the registrar to transmit electronically a ballot, certificate, and waiver of the right to a secret ballot to a voter who is eligible to vote absentee by mail pursuant to present law (R.S. 18:1303) and who is unable to vote an absentee by mail ballot without assistance because of a disability.

Present law (R.S. 18:1310) provides procedures for voting absentee by mail. Provides that when a voter receives the absentee voting materials by mail, he first shall fill in all blanks on the certificate on the ballot envelope flap. Requires the voter to then mark the ballot according to the printed instructions on its face. Provides that the voter then places the voted ballot in the envelope, seal the envelope, and sign the certificate on the ballot envelope flap.

Proposed law retains present law.

Present law provides procedures to be used when absentee by mail voting materials are received by a member of the U.S. Service or a person residing outside the U.S. who is registered to vote. Provides that he first shall print all documents and fill in all blanks on the certificate and the waiver of the right to a secret ballot for each ballot mailing. Requires the voter to then mark the ballot or ballots according to the printed instructions. Provides that the voter shall then place the voted ballot or ballots, completed certificate, and waiver of the right to a secret ballot for each ballot mailing in

a separate envelope, seal the envelope, mark "Absentee Ballot Enclosed" on the envelope, and mail the envelope and its contents to the registrar of voters.

Proposed law requires the voter to first mark each ballot according to the instructions on the ballot, either by marking the ballot electronically and then printing it, or by printing the ballot first and then marking it by hand. Provides that the voter then must print all of the remaining documents. Provides that proposed law and present law apply to all voters to whom absentee by mail voting materials are transmitted, not only members of the U.S. Service and people residing outside the U.S. Otherwise retains present law.

Present law provides that a person otherwise qualified to vote absentee by mail who is visually impaired or physically disabled or who is unable to read or write may receive assistance in voting absentee by mail from any person selected by him other than a candidate. Provides that a person who is eligible for assistance in voting absentee by mail or early voting may, in the same manner, seek assistance in the signing of his name or making of his mark. Requires any person who assists a voter in signing his name or making his mark to explain to the voter that a signature or mark so made certifies that all statements in the certificate, if applicable, are true and correct and that any person who knowingly provides false or incorrect statements is subject to a fine or imprisonment, or both. Requires a person who assists a voter in voting absentee by mail to execute an acknowledgment.

Proposed law retains present law.

Effective January 1, 2017.

(Amends R.S. 18:1310(A)(2); Adds R.S. 18:1308(A)(1)(d))