

SENATE BILL NO. 218

BY SENATOR KLEINPETER

1 AN ACT

2 To amend and reenact R.S. 18:564(B)(5)(b), 1307(B)(1)(a)(i) and (G), 1309.3(B)(4)(b), and
3 1461.7(A)(6) and to enact R.S. 18:1307(J) and (K) and 1461.7(A)(7), relative to
4 voting; to require certain information from persons assisting voters; to prohibit the
5 distribution of unsolicited absentee by mail ballots; to provide for emergency
6 procedure relative to distribution of absentee by mail ballot applications; to provide
7 for election offenses; to provide relative to absentee voting application restrictions;
8 and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 18:564(B)(5)(b), 1307(B)(1)(a)(i) and (G), and 1309.3(B)(4)(b) are
11 hereby amended and reenacted and R.S. 18:1307(J) and (K) are hereby enacted to read as
12 follows:

13 §564. Assistance in voting on election day

14 * * *

15 B. Persons prohibited from assisting voters.

16 * * *

17 (5)(a) * * *

18 ~~(b) The commissioners shall write the voter's name in the precinct register~~
19 ~~and write~~ **The voter, along with the person assisting the voter, shall complete a**
20 **voter assistance form and provide** the name, **address, and relationship to the**
21 **voter** of the person, including a commissioner, assisting the voter ~~behind the tab for~~
22 ~~Assistance to Voters~~ **and attest whether the person, other than a commissioner,**
23 **assisting the voter was paid to provide assistance.** If the voter is not marked for
24 assistance in voting in the precinct register, the voter ~~or the person, including a~~
25 ~~commissioner, assisting the voter shall check the box behind the tab for Assistance~~
26 ~~to Voters indicating~~ **shall attest on the voter assistance form** that the voter has a
27 physical disability or is unable to read **and requires assistance in voting.** ~~The~~

1 person, including a commissioner, assisting the voter shall sign his name behind the
 2 tab for Assistance to Voters.

3 * * *

4 §1307. Application by mail

5 * * *

6 B.(1)(a)(i) An application to vote by mail may be delivered to the registrar
 7 by any means, including the United States Postal Service, commercial delivery
 8 service, hand delivery, or facsimile. **No person except the immediate family**
 9 **member of the voter, as defined in this Code, shall submit by any means or send**
 10 **for delivery by the United States Postal Service or commercial courier more**
 11 **than one marked ballot application per election to the registrar of voters.**

12 * * *

13 G.(1)(a) If the applicant is eligible to vote absentee by mail pursuant to R.S.
 14 18:1303(F), (I), or (J), his application, if such application meets the requirements of
 15 this Section, may remain valid indefinitely upon request of the applicant, ~~unless an~~

16 **(b) If the applicant is eligible to vote absentee by mail pursuant to R.S.**
 17 **18:1303(F) or (J), his application, if such application meets the requirements of**
 18 **this Section, may remain valid from the date the application is received in the**
 19 **office of the registrar of voters until December thirty-first of the fourth year**
 20 **after the application is received by the registrar. If the applicant's application**
 21 **was received by the office of the registrar of voters before January 1, 2025, his**
 22 **application shall expire December 31, 2029.**

23 **(2) If an** absentee by mail ballot that has been sent to the applicant is returned
 24 to the registrar as undeliverable, **the applicant's application shall no longer be**
 25 **valid, and** ~~If the applicant's absentee by mail ballot is returned to the registrar as~~
 26 ~~undeliverable,~~ the registrar shall send notice by forwardable mail to such applicant
 27 that his application will no longer be valid, ~~and the~~ **The** applicant shall be required
 28 to submit a new application to the registrar that meets the requirements of this
 29 Section and provide a current address before the applicant will be eligible to vote
 30 absentee by mail again pursuant to this Section.

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J. Except as otherwise authorized by law, no person, organization, or entity shall distribute an application form for an absentee by mail ballot to any person who has not requested the application under the provisions of this Section.

K.(1) If a gubernatorially declared state of disaster or emergency occurs within forty-five days of an election, the secretary of state shall determine if the distribution of absentee by mail ballot applications is necessary for voters displaced by the gubernatorially declared state of disaster or emergency.

(2) Upon the determination by the secretary of state of the need for the limited distribution of absentee by mail ballot applications, the secretary shall provide notice to the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs within ten days of the distribution.

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§1309.3. Assistance in voting during early voting

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B. Persons prohibited from assisting voters during early voting.

* * *

(4)

* * *

~~(b) The registrar or deputy registrar shall write the voter's name in the precinct register or early voting list kept by the registrar and~~ The voter, along with the person assisting the voter, shall complete a voter assistance form and provide the name of the person assisting the voter ~~behind the tab for Assistance to Voters~~ and attest whether the person, other than a commissioner, providing assistance was paid to assist the voter. If the voter is not marked for assistance in voting in the statewide voter registration database, the voter shall attest on the voter assistance form that the voter has a physical disability or is unable to read and requires assistance in voting. ~~The person assisting the voter, including a registrar or deputy registrar, shall sign his name behind the tab for Assistance to~~

1 Voters:

2 * * *

3 Section 2. R.S. 18:1461.7(A)(6) is hereby amended and reenacted and R.S.
4 18:1461.7(A)(7) is hereby enacted to read as follows:

5 §1461.7. Miscellaneous election offenses; penalties

6 A. No person shall knowingly, willfully, or intentionally:

7 * * *

8 **(6) Facilitate the distribution and collection of absentee by mail ballot**
9 **applications or absentee by mail ballots in violation of this Title.**

10 ~~(6)~~**(7)** Breach any mandatory provision of this Title.

11 * * *

12 Section 3.(A) Section 1 of this Act shall become effective January 1, 2025.

13 (B) Section 2 and this Section of this Act shall become effective upon signature of
14 this Act by the governor or, if not signed by the governor, upon expiration of the time for
15 bills to become law without signature by the governor, as provided by Article III, Section
16 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and subsequently
17 approved by the legislature, Section 2 and this Section of this Act shall become effective on
18 the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____