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## DIGEST

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HB 256 Original

2022 Regular Session

Hodges

**Abstract:** Provides relative to elections.

Present law provides that a candidate may designate watchers to serve at every precinct on election day where the office he seeks is voted on in an election. Further provides for the procedure of designating such watchers. Authorizes a candidate to appoint a super watcher who shall be admitted to every precinct in the parish where the candidate is on the ballot.

Proposed law authorizes each recognized political party having at least 25% of the registered voters in the state to designate super watchers in each parish in which a candidate affiliated with the party is on the ballot. Further provides for the number of super watchers that may be designated by a recognized political party based on the number of registered voters in the parish.

Proposed law authorizes each political party having at least 25% of the registered voters in the state to have an early voting watcher at each early voting location, as space permits, at which a candidate affiliated with such political party is on the ballot. Further provides for the qualifications, powers, and duties of such watcher. Also provides for the procedure for nominating such watcher.

Present law provides definitions relative to voting, voting machines, and vote counting equipment. Provides requirements for voting systems.

Proposed law modifies the definitions of "voting machine" and "voting system".

Present law provides requirements for voting systems as follows:

- (1) The voting system shall produce an auditable voter-verified paper record.
- (2) All voting system equipment shall have only essential functionality and shall not connect to the internet.
- (3) The installation of software or firmware on the voting system shall be strictly limited to software or firmware deemed by the secretary of state to be essential to the voting system and shall be performed by employees of the secretary of state only.
- (4) The secretary of state shall be responsible for all ballot programming and shall limit the use of third-party vendors to support services only.

- (5) Access to physical ports on any voting machine shall be restricted and sealed at all times using serialized tamper-evident seals except for ports used to activate the voting machine for each voter's voting session or as required for testing, repair, or ballot preparation or tabulation.
- (6) The voting system vendor shall provide documentation to the secretary of state regarding financial disclosure, equity holdings, and management structure and must disclose any percentage of ownership by a foreign entity either in whole or in part, including any subsidiary or affiliate.
- (7) The tabulation of fractional votes shall be prohibited.
- (8) The voting system servers shall be located within the state.

Proposed law adds the following additional requirements for voting systems:

- (1) The voting system shall deploy procedures for the secretary of state to verify that the software and firmware, including any updates, installed on each voting machine was not altered after it was installed on the voting machine.
- (2) The voting system shall maintain an internal record of the number of ballots tabulated, including any ballots that are rescanned.
- (3) Paper ballots shall have counterfeit protection.

Effective Jan. 1, 2023.

(Amends R.S. 18:435(A)(4) and (B)(2) and 1351(13) and (14); Adds R.S. 18:435(A)(5) and (B)(1)(c), 1309(N), and 1366(9), (10), and (11))