

2015 Regular Session

HOUSE BILL NO. 290

BY REPRESENTATIVE NORTON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ELECTIONS: Provides for an extension of time for voting on election day under certain circumstances

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AN ACT

To amend and reenact R.S. 18:542 and to enact R.S. 18:541(C), relative to the hours of voting; to provide for an extension in the closing of the polls on election day under certain circumstances; to provide relative to the duties of parish boards of election supervisors; to provide for notification of an extension in the closing of the polls; to provide relative to the termination of voting on election day; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:542 is hereby amended and reenacted and R.S. 18:541(C) is hereby enacted to read as follows:

§541. Opening and closing of the polls

* * *

C.(1) Notwithstanding the provisions of Subsections A and B of this Section, if a polling place is delayed in opening or if, after opening, voting at a polling place is interrupted for more than fifteen minutes, the parish board of election supervisors for the parish in which the polling place is located shall order an extension of the closing of the polls at the polling place by an equal number of minutes. For purposes of this Paragraph, a polling place shall not be considered to be open until voting is able to take place.

1 (2) If a parish board of election supervisors orders an extension of the
 2 closing of the polls pursuant to this Paragraph, the board shall take all reasonable
 3 steps necessary to inform the voters and candidates of the extension, including but
 4 not limited to issuing public service announcements and press releases to local news
 5 services and other media outlets and posting notices.

6 §542. Termination of voting

7 A person who is in line to vote when the polls close on election day shall be
 8 allowed to vote. Voting in a primary or general election shall terminate (1) when the
 9 polls close, if no one is in line to vote at that time, or (2) when all the persons who
 10 were in line to vote ~~at 8:00 p.m.~~ when the polls closed have been allowed to vote.

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 290 Original

2015 Regular Session

Norton

Abstract: Provides for an extension in the closing of the polls on election day under certain circumstances.

Present law creates a parish board of election supervisors for each parish to supervise the preparation for and the conduct of all elections held in the parish. Provides that the board is composed of the registrar of voters, the clerk of court, the chairman of the parish executive committee of each recognized political party or his designee who shall be a member of the parish executive committee of the same recognized political party, and one member appointed by the governor. Provides that in a parish where a parish executive committee of a recognized political party has not been formed, the chairman of the state central committee of that political party may appoint a voter who is registered in the parish as being affiliated with the political party to serve on the board.

Present law (R.S. 18:541) provides that on election day the polls open at 7 a.m. Provides, however, that in regularly scheduled congressional primary elections and elections held at the same time, the polls open at 6 a.m. instead of 7 a.m.

Proposed law retains present law.

Present law provides that on election day, the polls close in all elections at 8 p.m.

Proposed law provides an exception to present law. Provides that if a polling place is delayed in opening or if, after opening, voting at a polling place is interrupted for more than 15 minutes, the parish board of election supervisors for the parish in which the polling place is located shall order an extension of the closing of the polls at the polling place by an equal number of minutes. Provides that a polling place shall not be considered to be open until voting is able to take place.

Proposed law provides further that if a parish board of election supervisors orders an extension of the closing of the polls pursuant to proposed law, the board shall take all reasonable steps necessary to inform the voters and candidates of the extension, including but not limited to issuing public service announcements and press releases to local news services and other media outlets and posting notices.

Present law provides that a person who is in line to vote when the polls close on election day shall be allowed to vote. Specifies that voting in a primary or general election shall terminate when the polls close, if no one is in line to vote at that time, or when all the persons who were in line to vote at 8 p.m. have been allowed to vote.

Proposed law repeals the reference to 8 p.m. in present law and provides instead that voting terminates when all persons who were in line to vote "when the polls closed" have been allowed to vote. Otherwise retains present law.

Present law (R.S. 18:566) provides a procedure for provisional voting in federal elections when a person declares that he is eligible to vote in the election but his name does not appear on the precinct register, the registrar has not authorized the person to vote by affidavit, or the commissioners assert that the person is not eligible to vote. Present law (R.S. 18:566.1) provides that if the poll hours in an election for federal office are extended as a result of a federal or state court order or any other order extending the time established for closing the polls, an individual who votes during the extension shall vote by provisional ballot for federal offices as set forth in present law.

Proposed law retains present law.

(Amends R.S. 18:542; Adds R.S. 18:541(C))