

ACT No. 636

HOUSE BILL NO. 265

BY REPRESENTATIVES SMITH, BAGNERIS, BOUIE, BRASS, CARPENTER, GARY CARTER, COX, DUPLESSIS, FRANKLIN, GAINES, GLOVER, HALL, JIMMY HARRIS, HUNTER, JACKSON, JAMES, JEFFERSON, JENKINS, JORDAN, TERRY LANDRY, LYONS, MARCELLE, DUSTIN MILLER, NORTON, AND PIERRE AND SENATORS BARROW, BISHOP, BOUDREAUX, CARTER, COLOMB, MORRELL, PETERSON, PRICE, AND TARVER

AN ACT

To amend and reenact R.S. 18:102(A)(1), 104(C), and 177(A)(1), relative to registration and voting; to provide relative to registration and voting by a person convicted of a felony; to provide relative to suspension of registration and voting rights of such a person; to provide relative to procedures and requirements for voter registration and voting; to provide relative to reinstatement of voter registration; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:102(A)(1), 104(C), and 177(A)(1) are hereby amended and reenacted to read as follows:

§102. Ineligible persons

A. No person shall be permitted to register or vote who is:

(1)(a) Under an order of imprisonment, as defined in R.S. 18:2(8), for conviction of a felony; ~~or, except as provided in Subparagraph (b) of this Paragraph.~~

(b) Except as provided in Subparagraph (c) of this Paragraph, a person who is under an order of imprisonment for conviction of a felony and who has not been incarcerated pursuant to the order within the last five years shall not be ineligible to register or vote based on the order if the person submits documentation to the registrar of voters from the appropriate correction official showing that the person has not been incarcerated pursuant to the order within the last five years.

1 (c) Notwithstanding any other provision of law, no person shall be permitted
 2 to register or vote pursuant to this Section if he is convicted of a felony offense of
 3 election fraud or any other election offense pursuant to R.S. 18:1461.2 and he is
 4 under an order of imprisonment.

5 * * *

6 §104. Application for registration; form

7 * * *

8 C.(1) The form shall inform the applicant of the penalty for violation of
 9 applicable laws relating to registration of voters and shall contain an affidavit to be
 10 subscribed, through a handwritten signature, attesting to each of the following:

- 11 (a) ~~that~~ That the applicant is a United States citizen;
- 12 (b) That the applicant is not currently under an order of imprisonment for
 13 conviction of a felony; or, if the applicant is under such an order, that the applicant
 14 has not been incarcerated pursuant to the order within the last five years and he is not
 15 under an order of imprisonment related to a felony conviction pursuant to election
 16 fraud or any other election offense pursuant to R.S. 18:1461.2.

17 (c) That the applicant is not currently under a judgment of full interdiction
 18 for mental incompetence, or a limited interdiction in which the right to register to
 19 vote has specifically been suspended.

20 (d) ~~and that~~ That the facts given by him on the application are true to the best
 21 of his knowledge and belief.

22 (2) When the registration application is completed at the office of motor
 23 vehicles of the Department of Public Safety and Corrections or electronically on the
 24 secretary of state's website, an electronically captured signature of the applicant shall
 25 suffice as a handwritten signature of the applicant.

26 * * *

27 §177. Reinstatement of registration after suspension

28 A.(1) The registration of a person whose registration has been suspended by
 29 the registrar of voters pursuant to R.S. ~~18:176 for conviction of a felony~~ 18:176(A)
 30 shall be reinstated when the person appears in the office of the registrar and provides

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 documentation from the appropriate correction official showing that such person is
 2 no longer under an order of imprisonment or, if the person is under such an order,
 3 that the person has not been incarcerated pursuant to the order within the last five
 4 years and the person is not under an order of imprisonment related to a felony
 5 conviction pursuant to election fraud or any other election offense pursuant to R.S.
 6 18:1461.2.

* * *

8 Section 2. Prior to the effective date of this Act, the secretary of state shall work
 9 with the Department of Public Safety and Corrections to develop a form or forms to allow
 10 a person who is or was under an order of imprisonment for conviction of a felony to meet
 11 the requirements of R.S. 18:102(A)(1) and 177(A) as amended by this Act.

12 Section 3. This Act shall become effective on March 1, 2019.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR

APPROVED: _____