

RÉSUMÉ DIGEST

HB 260

2023 Regular Session

Beaulieu

Proposed law would have required and prohibited certain actions related to elections by the secretary of state and his employees who perform duties in the election process, registrars of voters and their employees, clerks of court and their employees who perform duties in the election process, parish boards of election supervisors, commissioners-in-charge, and commissioners, all referred to in this digest as election officials.

Proposed law would have required an election official who received a federal directive or guidance that pertained to elections and that was not published on the secretary of state's website to notify the governor, the speaker of the La. House of Representatives, and the president of the La. Senate of such directive or guidance within five business days.

Proposed law would have prohibited an election official from implementing any federal directive or guidance pertaining to elections unless the implementation was explicitly required by law or one of the following applied:

- (1) The House and Senate committees on governmental affairs approved the implementation after consulting with the secretary of state or his designee.
- (2) Neither committee prohibited the implementation within 30 days after receipt of a request from the official for authority to implement the directive or guidance.

Proposed law would have prohibited an election official from accepting or disbursing new federal elections funds unless the acceptance and disbursement was explicitly required by law or one of the following applied:

- (1) The Joint Legislative Committee on the Budget voted to approve the acceptance and disbursement of the funds after consulting with the secretary of state or his designee.
- (2) The Joint Legislative Committee on the Budget did not vote to disapprove the acceptance and disbursement within 30 days after receipt of a request from the official for authority to accept and disburse the funds.

Proposed law would have required the attorney general to pursue any available legal means to enjoin an official from accepting and disbursing federal election funds in violation of proposed law and to recover funds disbursed in violation of proposed law.

(Proposed to add R.S. 18:425.2)

VETO MESSAGE:

Please be advised that I have vetoed House Bill 260 of the Regular Session of 2023.

This bill is virtually identical to House Bill 359 of the 2022 Regular Session. The bill would require election officials to obtain permission of the House and Senate Governmental Affairs Committees before implementing federal directives or guidance "not explicitly required by state or federal law." As I stated in my veto letter to House Bill 359 in 2022, this would potentially allow the legislature to prohibit an election official from adopting a federal best practice, inserting politics into the administration of elections and voter registration. It would also violate Article 2, Section 2 of the Louisiana Constitution, which provides that elections are conducted by local officials and the executive branch.

For the same reasons I vetoed House Bill 359 in 2022, I have vetoed House Bill 260 in 2023.