2018 Regular Session

HOUSE BILL NO. 265

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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 2 voting; to provide relative to registration and voting by a person convicted of a 3 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 5 voting; to provide relative to reinstatement of voter registration; and to provide for 6 related matters. Be it enacted by the Legislature of Louisiana: 8 Section 1. R.S. 18:102(A)(1), 104(C), and 177(A)(1) are hereby amended and 9 reenacted to read as follows: 10 11 §102. Ineligible persons 12 A. No person shall be permitted to register or vote who is: 13 (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. 14 15 (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 16 17 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 18 19 registrar of voters from the appropriate correction official showing that the person 20 has not been incarcerated pursuant to the order within the last five years.

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

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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

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

6 <u>18:1461...</u>

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

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

	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	PRESIDENT OF THE SENATE
	GOVERNOR
APPROVED:	