SENATE BILL NO. 218

BY SENATOR CLOUD

1   AN ACT

2 To amend and reenact R.S. 18:461(A)(1) and to enact R.S. 18:461(A)(4) and (5), relative to

3   qualifying of candidates for primary elections; to require proof of identity; to provide

4   relative to the nature of any such documents; to provide relative to the duties and

5   responsibilities of qualifying officials relative thereto; and to provide for related

6   matters.

7 Be it enacted by the Legislature of Louisiana:

8   Section 1. R.S. 18:461(A)(1) is hereby amended and reenacted and R.S. 18:461(A)(4)

9 and (5) are hereby enacted to read as follows:

10   §461. Manner of qualifying

11   A.(1) A person who desires to become a candidate in a primary election shall

12   qualify as a candidate by timely filing notice of his candidacy, which shall be

13   accompanied either by a nominating petition or by the qualifying fee and any

14   additional fee imposed **and shall provide proof of identity in the form of a valid**

15   **Louisiana driver's license or Louisiana identification card issued by the**

16   **Department of Public Safety and Corrections**. A candidate whose notice of

17   candidacy is accompanied by a nominating petition shall not be required to pay any

18   qualifying fee or any additional fee. A candidate serving in the armed forces of the

19   United States who is stationed or deployed outside of the United States shall not be

20   required to pay any qualifying fee or any additional fee.

21   *   *   *

22   **(4)(a) If a notice of candidacy is filed pursuant to Paragraph (2)(a) of**

23   **this Subsection, the qualifying official shall compare the name and address on**

24   **the proof of identity with the information on the notice of candidacy, shall make**

1   **a notation in the database of the secretary of state if the address on the proof of**

2   **identity is different than the address on the notice of candidacy, and shall return**

3   **the proof of identity to the candidate.**

4   **(b) If a notice of candidacy is filed pursuant to Paragraph (2)(b) or (d)**

5   **of this Subsection, a copy of the candidate's proof of identity shall be sent to the**

6   **qualifying official with the notice of candidacy. The qualifying official shall**

7   **compare the name and address shown on the copy of the proof of identity with**

8   **the information on the notice of candidacy, shall make a notation in the**

9   **database of the secretary of state if the address on the copy of the proof of**

10   **identity is different than the address on the notice of candidacy, and shall**

11   **destroy the copy of the proof of identity.**

12   **(c)(i) If a notice of candidacy is filed pursuant to Paragraph (2)(c) of this**

13   **Subsection, a copy of the candidate's proof of identity shall be provided by the**

14   **agent to the qualifying official with the notice of candidacy. The qualifying**

15   **official shall compare the name and address shown on the copy of the**

16   **candidate's proof of identity with the information on the notice of candidacy,**

17   **shall make a notation in the database of the secretary of state if the address on**

18   **the copy of the candidate's proof of identity is different than the address on the**

19   **notice of candidacy, and shall destroy the copy of the candidate's proof of**

20   **identity.**

21   **(ii) In addition, the agent shall provide proof of his identity in the form**

22   **of a valid Louisiana driver's license or Louisiana special identification card**

23   **issued pursuant to R.S. 40:1321 to the qualifying official. The qualifying official**

24   **shall compare the name and address shown on the agent's proof of identity with**

25   **the information on the agent's affidavit and shall return the agent's proof of**

26   **identity to the agent.**

27   **(5) When the address on the proof of identity of a candidate is different**

28   **than the candidate's address on the notice of candidacy, the secretary of state**

29   **shall make a notation that there is a difference on any list on his website which**

30   **contains the name of the candidate.**

1   *   *   *

2   Section 2. This Act shall become effective on January 15, 2021.

_____
PRESIDENT OF THE SENATE

_____
SPEAKER OF THE HOUSE OF REPRESENTATIVES

_____
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

Coding: Words which are ~~struck through~~ are deletions from existing law;
words in **boldface type and underscored** are additions.