

SENATE BILL NO. 615

BY SENATOR MARTINY

1 AN ACT

2 To amend and reenact R.S. 18:49.1(C), 1461, 1462, 1463(F), 1465(B), 1466, 1467, and
3 1468(C) and to enact R. S. 18:49.1(D), 1461.2, 1461.3, 1461.4, 1461.5, 1461.6,
4 1461.7 and 1461.8, and to repeal R.S. 14:118(A)(1)(b), 119, and 352 and R.S.
5 18:1300.6, relative to the election code; to provide relative to certain election
6 offenses; to provide for definitions; to provided for penalties; and to provide for
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 18:49.1(C), 1461, 1462, 1463(F), 1465(B), 1466, 1467, and 1468(C)
10 are hereby amended and reenacted and R. S. 18:49.1(D), 1461.2, 1461.3, 1461.4, 1461.5,
11 1461.6, 1461.7 and 1461.8 are hereby enacted to read as follows:

12 §49.1. Elections compliance unit; powers and duties

13 * * *

14 **C. Notwithstanding any other provision of law to the contrary, a member**
15 **of the Elections Compliance Unit, upon the receipt of a complaint of any**
16 **election irregularity, may enter a polling place during early voting or on**
17 **election day for the purposes of checking the overall operations of the polling**
18 **place or investigating any potential violation of the Louisiana Election Code.**

19 **€.** **D.** If during the course of investigation, the elections compliance unit
20 determines that there may be a violation of any criminal law or provision of the
21 Louisiana Election Code, the findings of the investigation shall be turned over to the
22 appropriate prosecutorial agency for further investigation or prosecution.

* * *

1
2 §1461. Election offenses; penalties **Bribery of voters; penalties**

3 A. No person shall knowingly, willfully, or intentionally:

4 (1) ~~Fail, refuse, or neglect to discharge any duty imposed upon him, either~~
5 ~~individually or in an official capacity, by any provision of this Title.~~

6 (2) ~~Being a commissioner, permit fraudulent votes to be cast, or knowingly~~
7 ~~count votes not entitled to be cast.~~

8 (3) ~~Have in his possession an official ballot in violation of any provision of~~
9 ~~this Title.~~

10 (4) ~~Offer, promise, solicit, or accept money or anything of present or~~
11 ~~prospective value to secure or influence a vote or registration of a person.~~

12 (5) ~~Forge, alter, add to, deface, take, destroy, or remove from proper custodial~~
13 ~~care any book, card, record, election return, nomination papers, withdrawals of~~
14 ~~candidacy, election supplies, election paraphernalia, or any affidavit or other~~
15 ~~document required or provided for under the provisions of this Title, unless required~~
16 ~~to be removed by a court of competent jurisdiction for inspection and photostatic~~
17 ~~copying for the court record.~~

18 (6) ~~Intimidate, deceive, or misinform, directly or indirectly, any voter or~~
19 ~~prospective voter in matters concerning voting or nonvoting or voter registration or~~
20 ~~nonregistration, including but not limited to any matter concerning the voluntary~~
21 ~~affiliation or nonaffiliation of a voter with any political party.~~

22 (7) ~~Vote or attempt to vote more than once at an election.~~

23 (8) ~~Offer money or anything of present or prospective value or use, directly~~
24 ~~or indirectly, any form of intimidation to influence the action or encourage inaction~~
25 ~~of any public official with regard to the duties of his office or to influence a~~
26 ~~commissioner or watcher in his decision to serve or not to serve as such or in the~~
27 ~~performance of his duties on election day.~~

28 (9) ~~Disobey any lawful instruction of the commissioners or a law~~
29 ~~enforcement officer assisting at the polls, or without lawful authority obstruct,~~
30 ~~hinder, or delay any voter on his way to or while returning home from any polling~~

1 place where an election is being held or on his way to or while returning home from
2 a place where he can legally exercise a vote concerning candidate representation of
3 his party.

4 ~~(10) Vote or attempt to vote, knowing that he is not qualified, or influence or~~
5 ~~attempt to influence another to vote, knowing such voter to be unqualified or the vote~~
6 ~~to be fraudulent.~~

7 ~~(11) Register, vote, or attempt to register or vote in the name of another or~~
8 ~~in an assumed or fictitious name, or in any manner other than as provided in this~~
9 ~~Title.~~

10 ~~(12) Have in his possession the registration certificate of another with intent~~
11 ~~to violate any provision of this Title.~~

12 ~~(13) Supply a false answer or statement to an election official or in any~~
13 ~~document required by this Title, or execute an affidavit knowing it to contain false~~
14 ~~or incorrect information.~~

15 ~~(14) Forge the name of another or use a fictitious name on an affidavit or~~
16 ~~document required under this Title.~~

17 ~~(15) Unlawfully, directly or indirectly, possess, tamper with, break, impair,~~
18 ~~impede, or otherwise interfere with the maintenance, adjustment, delivery, use, or~~
19 ~~operation of any voting machine or part thereof or with any of the paraphernalia~~
20 ~~connected with or appertaining thereto.~~

21 ~~(16) As a voter, commissioner, watcher, or person assisting a voter, allow a~~
22 ~~ballot to be seen, except as provided by law; announce the manner in which a person~~
23 ~~has cast his vote; place a distinguishing mark on a ballot with intent to make the~~
24 ~~ballot identifiable, or make a false statement concerning ability to mark a ballot~~
25 ~~without assistance.~~

26 ~~(17) Give or offer to give, directly or indirectly, any money or thing of~~
27 ~~present or prospective value to any person who has withdrawn or who was~~
28 ~~eliminated prior or subsequent to the primary or first or second primary election as~~
29 ~~a candidate for public office, for the purpose of securing or giving his political~~
30 ~~support to any remaining candidates or to candidates for public office in the primary~~

1 or first or second primary or general election.

2 ~~(18) Being a physician, certify to the disability of a voter under R.S. 18:1304,~~
 3 ~~or certify that a person will be hospitalized on election day, knowing such~~
 4 ~~information to be false.~~

5 ~~(19) Breach any mandatory provision of this Title.~~

6 ~~(20) Procure or submit voter registration applications that are known by the~~
 7 ~~person to be materially false, fictitious, or fraudulent.~~

8 ~~(21) While in the voting booth assisting another person in voting, coerce,~~
 9 ~~compel, or otherwise influence the assisted voter to cast his vote in a certain way.~~

10 ~~(22) Being a commissioner, fail to identify an applicant to vote as required~~
 11 ~~by this Title.~~

12 ~~(23) Fail to submit to the parish registrar of voters a completed registration~~
 13 ~~application collected through a registration drive within thirty days of receipt of the~~
 14 ~~completed application from the applicant.~~

15 ~~(24) When assisting a voter in voting, fail to mark the ballot or vote in the~~
 16 ~~manner dictated by the voter.~~

17 ~~B. Whoever violates any provision of this Section shall be fined not more~~
 18 ~~than one thousand dollars or be imprisoned for not more than one year, or both. On~~
 19 ~~a second offense, or any succeeding offense, the penalty shall be a fine of not more~~
 20 ~~than two thousand five hundred dollars or imprisonment for not more than five years,~~
 21 ~~or both.~~

22 ~~C.(1) Notwithstanding any other provision of law to the contrary and in~~
 23 ~~addition to the penalties provided in Subsection B of this Section, any candidate who~~
 24 ~~is elected to public office and is convicted of an election offense as provided in~~
 25 ~~Paragraphs (A)(4), (6), (10), (13), (14), and (17) of this Section that is related to his~~
 26 ~~campaign for such public office shall forfeit such public office. If such conviction~~
 27 ~~becomes final prior to the candidate taking the oath of office for such public office,~~
 28 ~~the candidate shall forfeit the public office and shall not be allowed to hold such~~
 29 ~~public office and such public office shall be declared vacant at the time such~~
 30 ~~conviction becomes final. If the conviction for such election offense does not~~

1 ~~become final until after such candidate has taken the oath of office for such public~~
2 ~~office, then, at the time such conviction becomes final, he shall forfeit such public~~
3 ~~office and shall be, ipso facto, removed from such public office and such public~~
4 ~~office shall be declared vacant.~~

5 ~~(2) However, if such candidate held such public office at the time of the~~
6 ~~commission of the election offense, he shall be allowed to serve the remainder of the~~
7 ~~term he was then serving, but, at the time his conviction for the election offense~~
8 ~~becomes final, he shall forfeit the public office for the subsequent term. If he has~~
9 ~~taken the oath of office for the subsequent term, he shall, at the time the conviction~~
10 ~~for the election offense becomes final, forfeit such public office and shall be, ipso~~
11 ~~facto, removed from such public office and such public office shall be declared~~
12 ~~vacant.~~

13 ~~(3) Any vacancy in a public office occurring as a result of the provisions of~~
14 ~~this Subsection shall be filled as in the case of ordinary vacancies and according to~~
15 ~~the constitution and laws of the state.~~

16 **A.(1) Bribery of voters is the giving or offering to give, directly or**
17 **indirectly, any money, or anything of apparent present or prospective value to**
18 **any voter at any general, primary, or special election, or at any convention of**
19 **a recognized political party, with the intent to influence the voter in the casting**
20 **of his ballot. The acceptance of, or the offer to accept, directly or indirectly, any**
21 **money, or anything of apparent present or prospective value, by any such voters**
22 **under such circumstances shall also constitute bribery of voters.**

23 **(2) Bribery of voters is also the giving or offering to give, directly or**
24 **indirectly, any money or anything of apparent present or prospective value to**
25 **secure or influence registration of a person or to secure or influence a person**
26 **to sign or not sign a recall or other election petition.**

27 **B. Whoever violates any provision of this Section shall be fined not more**
28 **than two thousand dollars or be imprisoned, with or without hard labor, for not**
29 **more than two years, or both, for the first offense. On a second offense, or any**
30 **subsequent offense, the penalty shall be a fine of not more than five thousand**

1 dollars or imprisonment at hard labor for not more than five years, or both.

2 C. In the trial of persons charged with bribery of voters either the bribe-
 3 giver or the bribe-taker may give evidence, or make affidavit against the other,
 4 and may receive immunity from prosecution in favor of the first informer,
 5 except for perjury in giving such testimony.

6 * * *

7 §1461.2. Election offenses affecting registration and election fraud or forgery;
 8 penalties

9 A. No person shall knowingly, willfully, or intentionally:

10 (1) Vote or attempt to vote more than once at an election.

11 (2) Vote or attempt to vote, knowing that he is not qualified, or influence
 12 or attempt to influence another to vote, knowing such voter to be unqualified
 13 or the vote to be fraudulent.

14 (3) Register, vote, or attempt to register or vote in the name of another
 15 or in an assumed or fictitious name, or in any manner other than as provided
 16 in this Title.

17 (4) Forge the name of another or use a fictitious name on an affidavit or
 18 document required under this Title.

19 (5) Procure or submit voter registration applications that are known by
 20 the person to be materially false, fictitious, or fraudulent.

21 (6) Forge, alter, add to, deface, take, destroy, or remove from proper
 22 custodial care any book, card, record, voter registration application, election
 23 return, nomination papers, withdrawals of candidacy, election supplies, election
 24 paraphernalia, or any affidavit or other document required or provided for
 25 under the provisions of this Title, unless required to be removed by a court of
 26 competent jurisdiction for inspection and photostatic copying for the court
 27 record.

28 (7) Have in his possession an official ballot in violation of any provision
 29 of this Title.

30 (8) Have in his possession the registration certificate of another with

1 intent to violate any provision of this Title.

2 B. Whoever violates any provision of this Section shall be fined not more
3 than two thousand dollars or be imprisoned, with or without hard labor, for not
4 more than two years, or both, for the first offense. On a second offense, or any
5 subsequent offense, the penalty shall be a fine of not more than five thousand
6 dollars or imprisonment at hard labor for not more than five years, or both.

7 §1461.3. Election offenses affecting election officials or watchers; penalties

8 A. No person shall knowingly, willfully, or intentionally:

9 (1) Being an election official, permit fraudulent votes to be cast, or
10 knowingly count votes not entitled to be cast.

11 (2) Fail, refuse, or neglect to discharge any duty imposed upon him,
12 either individually or in an official capacity, by any provision of this Title.

13 (3) Supply a false answer or statement to an election official or in any
14 document required by this Title, or execute an affidavit knowing it to contain
15 false or incorrect information.

16 B. Whoever violates any provision of Subsection A of this Section shall
17 be fined not more than two thousand dollars or be imprisoned, with or without
18 hard labor, for not more than two years, or both.

19 C. No person shall knowingly, willfully, or intentionally:

20 (1) Being a registrar, deputy registrar, commissioner-in-charge or
21 commissioner fail to identify an applicant to vote as required by this Title.

22 (2) Sign another voter's name in the precinct register.

23 (3) Attempt to influence an election official or watcher in the
24 performance of his duties on election day.

25 (4) Disobey any lawful instruction of a registrar, deputy registrar,
26 commissioner-in-charge or commissioner or a law enforcement officer
27 providing assistance to maintain order at a polling place.

28 D. Whoever violates any provision of Subsection C of this Section shall
29 be fined not more than five hundred dollars or be imprisoned in the parish jail
30 for not more than six months, or both.

§1461.4. Election offenses involving threats or intimidation of voters; penalties**A. No person shall knowingly, willfully, or intentionally:**

(1) Intimidate, deceive, or misinform, directly or indirectly, any voter or prospective voter in matters concerning voting or nonvoting or voter registration or nonregistration, or the signing or not signing of a petition, including but not limited to any matter concerning the voluntary affiliation or nonaffiliation of a voter with any political party.

(2) While in the voting booth assisting another person in voting, coerce, compel, or otherwise influence the assisted voter to cast his vote in a certain way.

(3) Intimidate a person by the use of violence, force, or threats with the intent to influence that person's decision to vote or to impede such person's ingress or egress from a polling place.

(4) Without lawful authority, obstruct, hinder, or delay any voter on his way to or while returning home from any polling place where an election is being held or on his way to or while returning home from a place where he can legally exercise a vote concerning candidate representation of his party.

B. Whoever violates any provision of this Section shall be fined not more than two thousand dollars or be imprisoned, with or without hard labor, for not more than two years, or both, for the first offense. On a second offense, or any subsequent offense, the penalty shall be a fine of not more than five thousand dollars or imprisonment at hard labor for not more than five years, or both.

§1461.5. Election offenses involving bribery, threats or intimidation of election officials or candidates; penalties**A. No person shall knowingly, willfully, or intentionally:**

(1) Offer money or anything of apparent present or prospective value or use, directly or indirectly, or engage in any form of intimidation to influence the action or encourage inaction of any election official with regard to the duties of his office.

(2) Give or offer to give, directly or indirectly, any money or anything of

1 apparent present or prospective value to any person who has withdrawn or who
 2 was eliminated prior or subsequent to the primary or first or second primary
 3 election as a candidate for public office, for the purpose of securing or giving his
 4 political support to any remaining candidate or candidates for public office in
 5 the primary or general election.

6 (3) When such person is a candidate for public office who has withdrawn
 7 or was eliminated prior to or subsequent to the primary or first or second
 8 primary election, accept or offer to accept, directly or indirectly, any money, or
 9 anything of apparent present or prospective value that is given for the purpose
 10 of securing or giving his political support to any remaining candidate or
 11 candidates for public office in the primary or general election.

12 B. Whoever violates any provision of this Section shall be fined not more
 13 than two thousand dollars or be imprisoned, with or without hard labor, for not
 14 more than two years, or both, for the first offense. On a second offense, or any
 15 subsequent offense, the penalty shall be a fine of not more than five thousand
 16 dollars or imprisonment at hard labor for not more than five years, or both.

17 C. In the trial of a person charged with a violation of this Section, either
 18 the bribe-giver or the bribe-taker may give evidence, or make affidavit against
 19 the other, and may receive immunity from prosecution in favor of the first
 20 informer, except for perjury in giving such testimony.

21 §1461.6. Election offenses involving tampering with election equipment;
 22 penalties

23 A. No person shall knowingly, willfully, or intentionally:

24 (1) Prior to an election, during transit to a polling place, during early
 25 voting, during election day voting or while in storage awaiting certification of
 26 election results, with intent to defraud, tamper with any voting equipment so as
 27 to attempt to influence the accurate and timely reporting of election results.

28 (2) Unlawfully, directly or indirectly, possess, tamper with, break,
 29 impair, impede, or otherwise interfere with the maintenance, adjustment,
 30 delivery, use, or operation of any voting machine or part thereof or with any of

1 the paraphernalia connected with or appertaining thereto.

2 B. Whoever violates any provision of this Section shall be fined not more
 3 than ten thousand dollars or be imprisoned at hard labor for not more than five
 4 years, or both.

5 §1461.7. Miscellaneous election offenses; penalties

6 A. No person shall knowingly, willfully, or intentionally:

7 (1) Fail to submit to the parish registrar of voters a completed
 8 registration application collected through a registration drive within thirty days
 9 of receipt of the completed application from the applicant.

10 (2) As a voter, election official, watcher, or person assisting a voter, allow
 11 a ballot to be seen, except as provided by law; announce the manner in which
 12 a person has cast his ballot; place a distinguishing mark on a ballot with intent
 13 to make the ballot identifiable, or make a false statement concerning ability to
 14 mark a ballot without assistance.

15 (3) When assisting a voter in voting, fail to mark the ballot or vote in the
 16 manner dictated by the voter.

17 (4) Being a physician, certify to the disability of a voter under this Title
 18 or certify that a person will be hospitalized on election day, knowing such
 19 information to be false.

20 (5) Breach any mandatory provision of this Title.

21 B. Whoever violates any provision of Subsection A of this Section shall
 22 be fined not more than one thousand dollars or be imprisoned for not more than
 23 one year, or both. On a second offense, or any subsequent offense, the penalty
 24 shall be a fine of not more than two thousand five hundred dollars or
 25 imprisonment for not more than five years, or both.

26 C. No person shall:

27 (1) Possess any beverage of alcoholic content in a polling place after
 28 having been directed by a registrar or deputy registrar, commissioner-in-
 29 charge, commissioner or law enforcement officer providing assistance to
 30 maintain order at the polling place to remove or dispose of the beverage.

1 (2) Appear at a polling place in an intoxicated condition.

2 (3) Carry or possess a firearm while present in a polling place, except a
 3 peace officer as defined by R.S. 40:2402(3)(a), in the performance of his official
 4 duties.

5 D. Whoever violates any provision of Subsection C of this Section shall
 6 be fined not more than five hundred dollars or be imprisoned for not more than
 7 six months, or both. On a second offense or any subsequent offense, the penalty
 8 shall be a fine of not more than one thousand dollars or imprisonment for not
 9 more than one year, or both.

10 §1461.8. Election offense; candidate; forfeiture of office

11 A. Notwithstanding any other provision of law to the contrary and in
 12 addition to the penalties provided in R.S. 18:1461 through 1461.7, any candidate
 13 who is elected to public office and is convicted of an election offense as provided
 14 in R. S. 18:1461, 1461.2(A)(2) or (4), 1461.3(A)(3), 1461.4(A)(1) and 1461.5(A)(2)
 15 that is related to his campaign for such public office shall forfeit such public
 16 office. If such conviction becomes final prior to the candidate taking the oath of
 17 office for such public office, the candidate shall forfeit the public office and shall
 18 not be allowed to hold such public office and such public office shall be declared
 19 vacant at the time such conviction becomes final. If the conviction for such
 20 election offense does not become final until after such candidate has taken the
 21 oath of office for such public office, then, at the time such conviction becomes
 22 final, he shall forfeit such public office and shall be, ipso facto, removed from
 23 such public office and such public office shall be declared vacant.

24 B. However, if such candidate held such public office at the time of the
 25 commission of the election offense, he shall be allowed to serve the remainder
 26 of the term he was then serving, but, at the time his conviction for the election
 27 offense becomes final, he shall forfeit the public office for the subsequent term.
 28 If he has taken the oath of office for the subsequent term, he shall, at the time
 29 the conviction for the election offense becomes final, forfeit such public office
 30 and shall be, ipso facto, removed from such public office and such public office

1 shall be declared vacant.

2 C. Any vacancy in a public office occurring as a result of the provisions
 3 of this Subsection shall be filled as in the case of ordinary vacancies and
 4 according to the Constitution and laws of the state.

5 §1462. Acts prohibited during early voting or on election day; electioneering;
 6 intimidation; exceptions; enforcement; penalties

7 A. The Legislature of Louisiana recognizes that the right to vote is a right that
 8 is essential to the effective operation of a democratic government. Due to a past,
 9 longstanding history of election problems, such as multiple voting, votes being
 10 recorded for persons who did not vote, votes being recorded for deceased persons,
 11 voting by non-residents, vote buying, and voter intimidation, the legislature finds
 12 that the state has a compelling interest in securing a person's right to vote in an
 13 environment which is free from intimidation, harassment, confusion, obstruction, and
 14 undue influence. The legislature, therefore, enacts this Subsection to provide for a
 15 six hundred foot campaign-free zone around polling places to provide to each voter
 16 such an environment in which to exercise his right to vote. Except as otherwise
 17 specifically provided by law, it shall be unlawful for any person, between the hours
 18 of 6:00 a.m. and 9:00 p.m., to perform or cause to be performed any of the following
 19 acts within any polling place being used in an election on election day or within any
 20 place wherein early voting is being conducted, or within a radius of six hundred feet
 21 of the entrance to any polling place being used in an election on election day or any
 22 place wherein early voting is being conducted:

23 (1) To solicit in any manner or by any means whatsoever any other person
 24 to vote for or against any candidate or proposition being voted on in such election.

25 (2) To remain within any such polling place or place wherein early voting is
 26 being conducted or within a radius of six hundred feet of the entrance of any such
 27 polling place, except when exercising the right to vote, after having been directed;
 28 ~~in writing~~, by an election commissioner or law enforcement officer to leave the
 29 premises or area of a polling place or after having been directed, ~~in writing~~, by a
 30 registrar or deputy registrar to leave the place wherein early voting is being

1 conducted.

2 (3) To hand out, place, or display campaign cards, pictures, or other
3 campaign literature of any kind or description whatsoever.

4 (4) To place or display political signs, pictures, or other forms of political
5 advertising.

6 **(5) To circulate a recall petition or seek handwritten signatures to a**
7 **recall petition.**

8 B. The provisions hereof shall not apply to the placing and displaying, either
9 by the owner, lessee, or lawful occupant thereof, or with the consent of such owner,
10 lessee or occupant, of political signs or pictures on private property which is not
11 being used as a polling place.

12 C. The provisions of this Section shall not be construed as prohibiting any
13 appointed election commissioner or any official watcher from remaining in and
14 about the polling place in which he was selected to serve.

15 ~~D. However, no appointed **No** election official shall wear any badge, button,~~
16 ~~pin, or other insignia identifying him with any political candidate or faction, nor shall~~
17 ~~any such official in any manner attempt to influence any voter to vote for or against~~
18 ~~any candidate or proposition being voted on in the election being held in that polling~~
19 ~~place nor shall any such official carry or possess a firearm while present in the~~
20 ~~polling place.~~

21 **E. No election official shall in any manner attempt to influence any voter**
22 **to vote for or against any candidate or proposition being voted on in the election**
23 **being held in that polling place.**

24 ~~D. No person shall:~~

25 ~~(1) Possess any beverage of alcoholic content in a polling place after having~~
26 ~~been directed by a commissioner or law enforcement officer assisting at the polls to~~
27 ~~remove or dispose of the beverage.~~

28 ~~(2) Appear at a polling place in an intoxicated condition.~~

29 ~~(3) Intimidate a person by the use of violence, force, or threats with the intent~~
30 ~~to influence that person's decision to vote or to impede such person's ingress or~~

1 egress from a polling place.

2 E.F. The duly constituted law enforcement officers of the political
 3 subdivision in which any such election is being held shall enforce the provisions of
 4 this Section when requested to do so by ~~the~~ **a registrar, deputy registrar,**
 5 **commissioner-in-charge or** commissioners. ~~The election commissioners at the~~
 6 ~~several polling places likewise shall enforce the provision of this Section. **The**~~
 7 **registrar, deputy registrars, commissioners-in-charge and commissioners**
 8 **likewise shall enforce the provisions of this Section at the polling places.** ~~These~~
 9 ~~The~~ law enforcement officers ~~and,~~ **commissioners-in-charge,** commissioners,
 10 **deputy registrars and registrar** are authorized to seize, remove, and destroy any
 11 political cards, signs, pictures, or literature being used or displayed in violation of
 12 any of the provisions hereof.

13 F. G. Whoever violates any provision of this Section shall be fined not more
 14 than five hundred dollars or be imprisoned for not more than six months, or both. On
 15 a second offense or any succeeding offense, the penalty shall be a fine of not more
 16 than one thousand dollars or imprisonment for not more than one year, or both.

17 §1463. Political material; ethics; prohibitions

18 * * *

19 ~~F. Whoever violates any provision of this Section may be punished by a fine~~
 20 ~~not to exceed five hundred dollars or be imprisoned for not more than six months,~~
 21 ~~or both. **Whoever violates any provision of this Section shall be fined not more**~~
 22 **than two thousand dollars or be imprisoned, with or without hard labor, for not**
 23 **more than two years, or both.**

24 * * *

25 §1465. Prohibited use of public funds

26 * * *

27 B. Whoever violates any provision of this Section shall be fined not more
 28 than ~~five hundred~~ **one thousand** dollars or be imprisoned, **with or without hard**
 29 **labor,** for not more than ~~six months~~ **two years,** or both. ~~On a second offense or any~~
 30 ~~succeeding offense, the penalty shall be a fine of not more than one thousand dollars~~

1 or imprisonment for not more than one year, or both.

2 * * *

3 §1466. ~~Person defined~~ **Definitions**

4 For the purposes of As used in this Chapter, the term "person" unless
5 the context clearly indicates otherwise, the following terms shall have the
6 meanings hereafter ascribed to each:

7 (1) "Person" shall have the meaning ascribed to it by R.S. 1:10.

8 (2) "Election official" means:

9 (a) The parish board of election supervisors.

10 (b) Clerks and their employees who perform duties in the election
11 process.

12 (c) Registrars of voters and their employees.

13 (d) The secretary of state and employees of his office who perform
14 duties in the election process.

15 (e) Commissioners, including the commissioner-in-charge.

16 §1467. Conviction in fraudulent vote cases; prohibition from employment in
17 elections

18 Any person who has been convicted of any crime involving fraud or any
19 violation of this Title while serving in the conduct of an election and in his capacity
20 as a commissioner-in-charge, commissioner, watcher, or employee of a parish
21 custodian of voting machines, or deputy of a clerk of court or ~~of the civil sheriff of~~
22 ~~the parish of Orleans~~ law enforcement officer, shall thereafter be prohibited from
23 serving in any of the positions aforementioned in any election or in connection with
24 any election.

25 §1468. Contributions in return for endorsement; prohibition

26 * * *

27 C. Whoever violates the provisions of this Section ~~shall be guilty of a~~
28 ~~misdemeanor and shall be fined not in excess of five hundred dollars~~ more than one
29 thousand dollars or be imprisoned, with or without hard labor, for not more than
30 ~~six months~~ five years, or both.

1 Section 2. R.S. 14:118(A)(1)(b), 119, and 352 and R.S. 18:1300.6 are hereby
2 repealed in their entirety.

3 Section 3. This Act shall become effective on January 1, 2011.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____