U.S. ELECTION ASSISTANCE COMMISSION

2016 Election Administration & Voting Survey

Statutory Overview

In order to better understand state laws governing Federal elections, the U.S. Election Assistance Commission, as part of its biennial Election Administration and Voting Survey, is collecting information on state election laws and procedures. These answers will help EAC to better understand the quantitative data relating to the 2016 general election that we are collecting from all U.S. states and territories.

EAC understands that responding to this Statutory Overview may require significant staff time on the part of your office. Please be assured that we have attempted to minimize the burden, and we appreciate your cooperation in this very important project.

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DIRECTIONS AND EXAMPLE

As appropriate, please provide your state's legal citation for the responses to the questions beginning on the following page.

Please answer each question to the best of your ability. If a term or concept is ambiguous, please explain why. If a question is not applicable to your state, please explain why. If a definition or term lacks statutory reference in your state but is widely used in practice, please explain. If election procedures vary at the local level within your state, please explain these variations to the best of your ability.

The Statutory Overview data collection document has two columns below each question.

- On the left, we have provided you with the answer your state provided for the 2014 Statutory Overview. If there has not been a change in your state's laws or legal citation in the response to a question, please mark the box labeled **No Change since 2014** at the top of the left column.

- If the response has changed since 2014 – or your state has not answered this question previously for some reason— please mark the box labeled **Changed since 2014** at the top of the right column and then provide the new answer in the text box provided. If your response is too long to fit in the box, please make a note in the text box and place your response in the "Notes" page at the end of the document. Additionally, if a law was repealed in full, please answer "repealed in full" in the box.

If any of your state laws are currently enjoined or otherwise blocked from enforcement by a state or federal court or by executive decision, please specify.

Example:

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

State code 1.11 - An attempt to vote for a larger number of candidates than is allowed.

b) Under-vote

☐ **No Change since 2014** ☒ **Changed since 2014**

This term has no legal definition.

State code 1.12 - An attempt to vote for a smaller number of candidates than is allowed.

SECTION A: GENERAL

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

In Louisiana, neither of our voting systems will allow a voter to over-vote. A voter must deselect his vote before he can cast a vote for another candidate, proposition, or constitutional amendment. Under the provisions of R.S. 18:563(D)(2) for paper ballots, "…If a voter makes selections for more than the number of candidates to be elected for an office or makes selections for and against the same proposition, the selections for that office or proposition will be void."

2016 Response:

This term has no legal definition in Louisiana Statutes.

However, LSA-R.S. 18:563(D)(2)(a) provides,"[I]f a voter makes selections for more than the number of candidates to be elected for an office or makes selections for and against the same proposition, the selections for that office or proposition will be void." Applies to voting on a paper ballot only.

b) Under-vote

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Under the provisions of R.S. 18:563(D)(1), "In order to cast a vote on a voting machine, a voter shall make at least one selection in a candidate or proposition election…" Since only one vote is required to cast a vote and a voter elects only to cast a vote for one or more elections, the voter may elect not to vote for any of the other remaining elections on the ballot. An under-vote will then occur for some elections. This situation may also occur for early voting in-person or absentee voting by mail.

2016 Response:

This term has no legal definition in Louisiana Statutes.

However, LSA-R.S. 18:563(D)(1) provides, "In order to cast a vote on a voting machine, a voter shall make at least one selection in a candidate or proposition election."

c) Blank ballot

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

R.S. 18:1302(1) – ""Ballot" means a paper ballot or electronic ballot, where applicable."

2016 Response:

This term has no legal definition in Louisiana Statutes.

However, LSA-R.S. 18:1302(1) defines "ballot" as a paper ballot or electronic ballot for purposes of voting absentee by mail or voting early.

d) Void/Spoiled ballot

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

R.S. 18:563(D)(2) for paper ballots -- "…If a voter makes selections for more than the number of candidates to be elected for an office or makes selections for and against the same proposition, the selections for that office or proposition will be void."
R.S. 18:1316(A) for paper ballots - - "Any ballot with a distinguishing mark or feature making the ballot susceptible of identification shall be rejected if at least a majority of the members of the board determine that the distinguishing mark was made by action of the voter. The marking of the ballot by the voter in such manner that a portion of an authorized mark to indicate a vote inadvertently extends outside the box in which it is to be placed shall not be sufficient cause to reject the ballot. Any ballot containing a combination of authorized marks and any ballot marked by a mark or an instrument other than as instructed on the ballot shall be considered as susceptible of identification and shall be rejected by the board."

2016 Response:

This term has no legal definition in Louisiana Statutes.

In addition to information provided in LSA-R.S. 18:563(D)(2), LSA-R.S. 18:1316(A) provides, "Any ballot with a distinguishing mark or feature making the ballot susceptible of identification shall be rejected if at least a majority of the members of the board determine that the distinguishing mark was made by action of the voter. The marking of the ballot by the voter in such manner that a portion of an authorized mark to indicate a vote inadvertently extends outside the box in which it is to be placed shall not be sufficient cause to reject the ballot. Any ballot containing a combination of authorized marks and any ballot marked by a mark or an instrument other than as instructed on the ballot shall be considered as susceptible of identification and shall be rejected by the board.
B. A ballot transmitted by facsimile shall not be considered as having distinguishing marks.
C. A ballot transmitted electronically to a member of the United States Service, as defined in R.S. 8:1302, or a person residing outside the United States shall not be considered as having distinguishing marks." Applies to absentee by mail voting.

e) Provisional/Challenged ballot

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

R.S. 18:566(A) -- "In an election for federal office, when an applicant's name does not appear on the precinct register and the registrar of voters has not authorized the applicant to vote by affidavit, or the commissioners assert that the applicant is not eligible to vote, and the applicant declares himself to be a registered voter and eligible to vote in the election for federal office, the applicant may cast a provisional ballot for candidates for federal office."
R.S. 18:565(A) - - "Grounds for challenge. A commissioner, watcher, or qualified voter may challenge a person applying to vote in a primary or general election on the ground that:
(1) The applicant is not qualified to vote in the election,
(2) The applicant is not qualified to vote in the precinct, or
(3) The applicant is not the person whose name is shown on the precinct register."
R.S. 18:1315(A)(1) - - "A candidate or his representative, a member of the board, or a qualified elector may challenge an absentee by mail or early voting ballot for the grounds specified in R.S. 18:565(A), by personally filing his written challenge with the registrar no later than the fourth day before the election for which the ballot is challenged. Such challenge shall be on a form provided by the secretary of state."
R.S. 18:1315(B) - - "During the counting of absentee by mail

2016 Response:

This term has no legal definition in Louisiana Statutes.

However, LSA-R.S. 18:566(A) provides, "In an election for federal office, when an applicant's name does not appear on the precinct register and the registrar of voters has not authorized the applicant to vote by affidavit, or the commissioners assert that the applicant is not eligible to vote, and the applicant declares himself to be a registered voter and eligible to vote in the election for federal office, the applicant may cast a provisional ballot for candidates for federal office."

LSA-R.S. 18:565(A) provides "Grounds for challenge. A commissioner, watcher, or qualified voter may challenge a person applying to vote in a primary or general election on the ground that:
(1) The applicant is not qualified to vote in the election,
(2) The applicant is not qualified to vote in the precinct, or
(3) The applicant is not the person whose name is shown on the precinct register."

f) Absentee

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

See Appendix A

2016 Response:

This term has no legal definition in Louisiana Statutes.

However, LSA-R.S. 18:1301 provides, "This Chapter provides a method of voting by absentee by mail and early voting ballot in primary and general elections, bond elections, tax elections, and special elections, which is in addition to the methods otherwise provided in this Title."

g) Early voting

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

R.S. 18:1302(4) – "Early voting" means the period of time from fourteen days to seven days prior to any scheduled election when any person who is qualified to vote may vote in person at a place designated by the registrar as provided in R.S. 18:1309."

2016 Response:

LSA-R.S. 18:1302(4) provides, "Early voting means the period of time prior to any scheduled election when any person who is qualified to vote may vote in person at a place designated by the registrar as provided in R.S. 18:1309."

h) Active Voter

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

The provisions of R.S. 18:101 provide the requirements to qualify to vote. Once the voter registration form is completed and the information contained on the form is verified under the provisions of Chapter 4 of Title 18 of the Revised Statutes, a voter shall become an active voter in Louisiana.

2016 Response:

This term has no legal definition in Louisiana Statutes.

Louisiana Statutes refer to applicants being added to the "official list of voters" in LSA-R.S.18:101.1.

i) Inactive Voter

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

"When the registrar has reason to believe that a registrant no longer is qualified to be registered, or that a registrant has changed his residence, he shall immediately notify the person by sending the address confirmation card to the registrant and place the voter on the inactive list of voters. However, a person shall not be placed on the inactive list of voters if there is address information available to the registrar from the United States Postal Service or its licensee which indicates the voter has moved to another address within the parish." (R.S. 18:193(A))

2016 Response:

This term has no legal definition in Louisiana Statutes.

However, LSA-R.S. 18:193(A) provides, "When the registrar has reason to believe that a registrant no longer is qualified to be registered, or that a registrant has changed his residence, he shall immediately notify the person by sending the address confirmation card to the registrant and place the voter on the inactive list of voters. However, a person shall not be placed on the inactive list of voters if there is address information available to the registrar from the United States Postal Service or its licensee which indicates the voter has moved to another address within the parish."

j) Other terms (please specify) Address Confirmation Card

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

LSA-R.S. 18:193B defines "Address confirmation card" as "[a] a postage prepaid and pre-addressed return card, sent by forwardable mail."

2016 Response:

LSA-R.S. 18:193(B) defines "Address confirmation card" as "[a] postage prepaid and pre-addressed return card, sent by forwardable mail."

A2. Please provide the legal citation for any *significant* changes to election laws or procedures that have been enacted or adopted since the previous Federal election. "Significant" does not include routine or technical changes (such as changes to election district boundaries or polling place changes). However, EAC would like to learn about any new identification requirements for voters or registrants; changes in eligibility for voting or registering; adoption of alternative voting methods; and other changes that you believe represent a significant change in the way your state runs its elections.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Act No. 599 of the 2008 Regular Legislative Session – Revised the absentee by mail laws to provide for indefinite applicability of applications to vote absentee by mail for disabled voters and senior citizen voters, including exceptions and procedures.
Act No. 436 of the 2009 Regular Legislative Session – Revised the laws in the "Election Code" relative to individuals with special needs.
Act No. 624 of the 2010 Regular Legislative Session – Revised voter registration and election procedures in Louisiana for military and overseas voters in accordance with provisions of the MOVE Act.
Act No. 570 of the 2010 Regular Legislative Session – Eliminated closed party primary elections in Louisiana effective January, 2011.
Act 138 of the 2012 Regular Legislative Session - - Allows all ballots to be transmitted electronically for military and overseas voters.
Act 138 of the 2012 Regular Legislative Session - - Authorizes paper ballots to be used on election day when voting machines fail.
Act 59 of the 2014 Regular Legislative Session – Authorizes the secretary of state to enter into cooperative agreements with other states or the Electronic Registration Information Center to share voter registration information or data for purposes of determining whether a voter is registered in more than one state and for the maintenance of the state voter registration computer system. The secretary of state shall include in any such cooperative agreement a provision for the privacy of the information or data that complies fully with applicable state and federal law.

2016 Response:

LSA-R.S. 18:101(A)(3), Act 307 of the 2015 Regular Legislative Session, authorizes a person who is sixteen years of age to register to vote with each application at driver's license facilities when obtaining, renewing or changing their name or address on a driver's license or identification card issued by the Department of Public Safety and Corrections or by making application in person at the office of the registrar of voters. However, no one under the age of eighteen years shall be permitted to vote in any election. (R.S. 18:101(A)(3))

LSA-R.S. 18:1256, Act 410 of the 2015 Regular Legislative Session, eff. 1/1/2016 provides a withdrawal period for presidential electors as 4:30 p.m. on the seventh day after the close of the qualifying period with the secretary of state. LSA-R.S. 18:501 provides a withdrawal period for all state and local candidates as 4:30 p.m. on the seventh day after the close of the qualifying period. Presidential electors have a different qualifying period than state and local candidates.

LSA-R.S. 18:1309(A), Act 83 of the 2016 Regular Legislative Session, eff. 8/1/2016 provides for one (1) day of early voting to be added to the early voting period as the first day preceding the period whenever one or more holidays fall within the early voting period, such as the Thanksgiving Day holiday or Veterans' Day holiday.

SECTION B: VOTER REGISTRATION

B1. Is your state's voter registration database system best described as a bottom-up, a top-down, or a hybrid? (Note: A bottom-up system generally uploads information retained at the local level and compiled at regular intervals to form the statewide voter registration list. A top-down system is hosted on a single, central platform/mainframe and is generally maintained by the state with information supplied by local jurisdictions. A hybrid is some combination of both systems described above.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
Top-down (Data is entered in real-time online.)	

If your state uses a bottom-up or hybrid system, how often do local jurisdictions transmit registration information to the state list?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
Not applicable.	

B2. Please describe the process used in your state to move voters from the active list to the inactive list, and from the inactive list to the active list. Is a different process used for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

LSA-R.S. 18:193:
"A. When the registrar has reason to believe that a registrant no longer is qualified to be registered, or that a registrant has changed his residence, he shall immediately notify the person by sending the address confirmation card to the registrant and place the voter on the inactive list of voters. However, a person shall not be placed on the inactive list of voters if there is address information available to the registrar from the United States Postal Service or its licensee which indicates the voter has moved to another address within the parish.
B. For the purpose of this Section, "address confirmation card" shall mean a postage prepaid and pre-addressed return card, sent by forwardable mail. The Department of State shall be responsible for developing the address confirmation card and for informing the registrant about his voting rights under the address confirmation process and the address confirmation card shall be submitted by the Department of State to the House and Governmental Affairs Committee of the House of Representatives and the Senate and

2016 Response:

B3. Please describe your state's process for removing voters from the voter registration rolls (not merely moving them from active to inactive). Please include information regarding notices and confirmations. Are these procedures the same for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

LSA-R.S. 18:193(D), (E), (G), and (H):
"D. If the voter responds to the address confirmation card and has permanently moved outside the parish, the registrar shall cancel the voter's registration."
"E. A voter on the inactive list of voters who fails to respond to the address confirmation card shall remain on the inactive list of voters until his address is confirmed in accordance with the procedures set forth in R.S. 18:196 or not later than a period of two regularly scheduled federal general elections, at which time the registrar shall cancel the voter's registration."
"G.(1) If the registrar has reason to believe that the name of a person has been illegally or fraudulently placed upon the registration records or that a registrant no longer is qualified to be registered for a reason other than a change of residence or address, or that the registrant has deliberately given an incorrect address, he shall immediately notify the person. The notice shall be mailed first class, postage prepaid, to the address on file at the registrar's office. (2) The notice shall state the alleged irregularity in the registration and shall inform the person that he must appear in person at the office

2016 Response:

B4. Can your state's voter registration database (or equivalent) share information electronically with your state's driver's license agency (for example, to match records or trace changes in address)? Can your voter registration database be similarly linked with databases in any other state or Federal agencies? Please describe these links, including any use of database matching to verify voter registration applications.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Yes.
Yes - other states through the Electronic Registration Information Center (ERIC) of which we are a member; through the Social Security Administration; through our state Office of Motor Vehicles; Death Master File; Emergency 911 (E-911) System; and Department of Public Safety and Corrections felon database.
R.S. 18:18(D)
D. The secretary of state may enter into cooperative agreements with other states or the Electronic Registration Information Center to share voter registration information or data for the purposes of determining whether a voter is registered in more than one state and for the maintenance of the state voter registration computer system. The secretary of state shall include in any such cooperative agreement a provision for the privacy of the information or data that complies fully with applicable state and federal law.

2016 Response:

B5. Please describe how your state uses National Change of Address (NCOA). What has been your state's experience with NCOA?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The provisions of R.S. 18:192(A)(1) provide for the use of the United States Postal Service
or its licensee to conduct the annual canvass of voters.
"A.(1)(a) No later than June thirtieth in each parish, the registrar of voters shall annually canvass the names of the registrants in all precincts in the parish. Failure of the registrar to conduct an annual canvass as provided in this Paragraph shall constitute willful misconduct relating to his official duty for the purposes of R.S. 18:53. The Department of State shall use the United States Postal Service or its licensee to verify the names and addresses of the registrants in all precincts in the state. A verification by the United States Postal Service or its licensee shall constitute a valid canvass of the registered voter.
(b) In conducting the verification, if the United States Postal Service or its licensee provides a corrected address, the Department of State shall furnish the corrected address to the appropriate registrar of voters. Upon receiving a corrected address inside the parish, the Department of State may make

2016 Response:

B6. Please describe your state's voting eligibility requirements as they relate to individuals with a felony conviction. (For example, are convicted felons allowed to vote while in prison or while on parole or probation? Are voting rights automatically restored or does the individual have to apply for a pardon, certificate of eligibility or other similar certificate? Does an individual whose voting rights have been restored have to produce documentation of his/her status when registering to vote?)

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

"A.(1) The registrar shall send a notice to each person listed on a report received pursuant to R.S. 18:171 or 171.1 and to any person the registrar has reason to believe has been convicted of a felony and is under an order of imprisonment. The notice shall be mailed first class, postage prepaid, to the address on file at the registrar's office.
(2) The notice shall state that the registrar has information that the registrant has been convicted of a felony and is under an order of imprisonment and shall inform the person that he must appear in person at the office of the registrar of voters within twenty-one days after the date on which the notice was mailed to show cause why his registration should not be suspended.
(3)(a) If the registrant appears and shows cause within the twenty-one days, the registrar shall not suspend the

2016 Response:

Answer changed as follows:

Per Louisiana's Constitution and state laws, convicted felons who are under an order of imprisonment are not allowed to vote in Louisiana. "Under an order of imprisonment" is defined as a sentence of confinement, whether or not suspended, whether or not the subject of the order has been placed on probation, with or without supervision, and whether or not the subject of the order has been paroled. When a registrar of voters receives information which leads them to believe a person is convicted of a felony and under an order of imprisonment, the registrar is required to send a notice to the voter allowing the voter to appear within 21 days to show cause why they should not be suspended from voting. If they do not appear and show cause, they are suspended. They may be reinstated upon appearing in person and showing proof that

B7. Does your state currently use the Internet in any way to facilitate voter registration? If yes, please describe how your state allows voters to use the Internet in the registration process (e.g., entire registration completed online; completed online but then must be printed, signed, and mailed by voter, etc.).

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Louisiana now allows for voter registration by the applicant utilizing our website https://voterportal.sos.la.gov/. The applicant is then asked to enter information required by law. Once the applicant enters his Louisiana driver's license number or his Louisiana special identification number, the application is matched up to the Office of Motor Vehicles. If there is a match, the application is accepted and forwarded to the applicant's parish registrar of voters' office. If there is not a match, the applicant can print his application, sign it, and mail it to his parish registrar's office for review.
The State of Louisiana has a new mobile app called "GeauxVote". A voter can use this app to verify that his voter registration has been processed. The menu options for this app include the following:
1. Polling place location;
2. Ballot information;
3. District information;
4. Elected officials;
5. Registrar of Voters' contact information;
6. Voter information;

2016 Response:

SECTION C: ELECTION ADMINISTRATION

C1. Please describe how all votes cast at a place other than the voter's precinct of registration are tabulated (for example, please include descriptions of such votes as absentee ballots, mail-in ballots, votes cast at vote centers, provisional ballots, early voting locations, etc.).

a. Are the votes counted centrally or at the precincts?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Votes are counted centrally at the parish level.

2016 Response:

b. If centrally tabulated, are the votes redirected to the appropriate precinct for reporting in the canvass?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The annual canvass process is not related to vote totals. All voters are marked as having voted for each election. This information is used only to determine if a voter on the inactive list has voted during the period of two regularly scheduled federal general elections.

2016 Response:

c. Are the absentee, mail, etc., votes reported separately for each precinct, or are they added to the in-precinct results and reported as just a single number?

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Absentee by mail ballots are counted and included in the totals with election day votes for each precinct. Votes for early voting and provisional voting are reported separately for each parish.

2016 Response:

Answer changed but process has not changed:

Votes for a parish are reported precinct by precinct and the absentee by mail and early voting votes are reported as one separate total from the precinct votes.

d. How are UOCAVA ballots counted and reported?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

UOCAVA ballots are counted on Election Day by the Parish Board of Election Supervisors, along with absentee by mail ballots, emergency election day paper ballots, and early voting ballots. UOCAVA ballots are reported in the total with the absentee by mail and early voting ballots for each parish.

2016 Response:

C2. Does your state require a reason for voting absentee, or does your state allow no-excuse absentee voting? (If a reason is required, please provide the legal citation.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A voter must have a reason for voting absentee by mail. The reasons for voting absentee by mail are provided in R.S. 18:1303(B). However, a voter 65 and over, a disabled voter or a voter who is a participant in the Department of State Address Confidentiality Program (ACP), may vote absentee by mail for a specific election or election cycle or sign up for absentee by mail voting for an indefinite amount of time or until such time that the ballot is returned to the registrar as

2016 Response:

C3. Does your state provide for in-person early voting? If so, how is early voting defined? When early voting is used, are the ballots counted at the precinct or at a central location? How are these votes reported?

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Chapter 7 of Title 18 -- Louisiana allows in person early voting for its voters. Early voting means the period of time from fourteen days to seven days prior to any scheduled election when any person who is qualified to vote may vote in person at a place designated by the registrar as provided in R.S. 18:1309. Ballots are counted centrally by the Parish Board of Election Supervisors and are incorporated into election results as a separate total for each parish.

2016 Response:

Chapter 7 of Title 18 -- Louisiana allows in person early voting for its voters in R.S. 18:1302, "Early voting" means the period of time prior to any scheduled election when any person who is qualified to vote may vote in person at a place designated by the registrar as provided in R.S. 18:1309."

In LSA-R.S. 18:1309(A)(1):
(a)(i) The period for conducting early voting shall be from fourteen days to seven days prior to any scheduled election.
(ii) The period for conducting early voting shall also include the day added pursuant to Subparagraph(b) of this Paragraph, if applicable.
(b)(i) On day of early voting shall be added to the period specified in Item (a)i) of this Paragraph if one or more holidays is required to be observed on a weekday during that period pursuant to

C4. Do any jurisdictions in your state use a vote-by-mail system to replace (and not merely supplement) at-the-precinct voting in any elections?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

No.

2016 Response:

C5. Please list each of the situations that require a provisional ballot in your state. Please provide the relevant legal citation for each situation.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Provisional ballots are allowed for federal elections (U.S. President, U.S. Senate and U.S. Representative) only. LSA-R.S. 18:566(A)

2016 Response:

C6. Does your state count provisional ballots of voters who are registered in different precincts, or are those ballots automatically rejected? Please describe the process used by local election officials in determining whether to count a provisional ballot.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

If the voter is registered in the parish, the provisional vote for federal office will be counted if the voter is eligible to vote for that office and the voter has not voted at the correct precinct or during early voting or absentee by mail. If the voter is registered in another parish, the provisional vote will not be counted. The process for the Parish Board of Election Supervisors is to tabulate and count provisional ballots is provided in R.S. 18:566.2.

2016 Response:

Answer changed but process has not changed:

A voter who is registered in the parish who votes a provisional ballot at a precinct in the parish, other than his registered precinct, may be counted if he is eligible to vote for that federal office and the voter has not voted at his registered precinct. If the voter is registered in another parish, the provisional ballot is rejected.

LSA-R.S. 18:566.2 - The registrar of voters gathers any evidence of registration or non-registration for each provisional voter and presents the information to the parish board of election supervisors to determine whether or not to count the ballot. The person must be a registered voter in the parish for his provisional ballot to be counted.

C7. Please describe your state's laws regarding post-election audits, if any. A post-election audit refers to hand-counting votes on paper records and comparing those counts to the corresponding vote counts originally reported, as a check on the accuracy of election results, and resolving discrepancies using accurate hand counts of the paper records as the benchmark.

If your state has post-election auditing, consider including in your response information such as the unit being audited (e.g., precincts, machines); the sampling method (e.g., fixed percentages); whether there is a specific trigger for the audit; the location of the random selection (e.g., state, county); and the races that can be audited.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Chapter 9 of Title 18, Part III, provides for the recount of absentee by mail and early voting ballots and R.S. 18:1313(J) allows for the recount of absentee by mail and early voting ballots for proposition elections.

2016 Response:

LSA-R.S. 18:1313 allows for a candidate to file a timely request for a recount of absentee by mail and early voting ballots.

The Department of State performs internal post-election audits to compare the number of voters on the Election Day machines to the number of votes in a race.

C8. Please describe any state requirements for poll worker training.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Election poll workers are required to attend courses of instruction and receive certificates of instruction. R.S. 18:424 (B)(4) and 18:425(B)(3).

2016 Response:

SECTION D: ELECTION DAY ACTIVITIES

D1. Please describe your state's process for capturing "over-vote" and "under-vote" counts.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Louisiana does not allow over-votes; therefore, we do not capture them. Under-votes have to be determined manually by checking total votes counted against votes counted in a specific election.

2016 Response:

D2. What identification does your state require from voters in the following situations:

a. registering to vote;

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

R.S. 18:101.1(A) – Louisiana driver's license, Louisiana special identification card, or social security number.
R.S. 18:101.1 (B):
"Applicants who do not have a Louisiana driver's license, Louisiana special identification card, or social security number:
(1) The registration information provided by an applicant who does not have a Louisiana driver's license, Louisiana special identification card, or social security number shall be verified with one of the following:
(a) A copy of a current and valid photo identification.
(b) A copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the applicant."

2016 Response:

Answer changed but process has not changed:

LSA-R.S. 18:101.1(A) – Louisiana driver's license, Louisiana special identification card, or last four digits of social security number.
LSA-R.S. 18:101.1 (B):
"Applicants who do not have a Louisiana driver's license, Louisiana special identification card, or social security number:
(1) The registration information provided by an applicant who does not have a Louisiana driver's license, Louisiana special identification card, or social security number shall be verified with one of the following:
(a) A copy of a current and valid photo identification.
(b) A copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the applicant."

b. casting an in-person ballot;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Election Day Voting R.S. 18:562(A)(2) – "Each applicant shall identify himself, in the presence and view of the bystanders, and present to the commissioners a Louisiana driver's license, a Louisiana special identification card issued pursuant to R.S. 40:1321, or other generally recognized picture identification card that contains the name and signature of the applicant. If the applicant does not have a Louisiana driver's license, a Louisiana special identification card, or other generally recognized picture identification card that contains the name and signature of the applicant, the applicant shall complete and sign an affidavit, which is supplied by the secretary of state, to that effect before the commissioners, which affidavit shall include the applicant's date of birth and mother's maiden name. If the applicant is unable to read or write or is otherwise unable to complete the affidavit due to disability, the applicant may receive assistance in completing the affidavit and the commissioner shall make a notation on the affidavit. The applicant may receive the assistance of any person of his choice, including a commissioner, except a candidate, commissioner-in-charge, the applicant's employer or employer's agent, or the applicant's union agent. The commissioners shall place the affidavit in the envelope marked "Registrar of Voters" and

2016 Response:

c. casting a mail-in or absentee vote;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

R.S. 18:1310(A)(1) – "When a voter receives the absentee voting materials by mail, he first shall fill in all blanks on the certificate on the ballot envelope flap. The voter then shall mark the ballot according to the printed instructions on its face. Then the voter shall place the voted ballot in the envelope, seal the envelope, and sign the certificate on the ballot envelope flap."
Before the ballot is counted, the registrar will verify the signature on the certificate.

2016 Response:

d. casting a ballot under UOCAVA;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

R.S. 18:1310(A)(2) - - "When a member of the United States Service or a person residing outside the United States who is registered to vote receives the absentee voting materials by electronic transmission, he first shall print all documents and fill in all blanks on the certificate and the waiver of the right to a secret ballot for each ballot mailing. The voter then shall mark the ballot or ballots according to the printed instructions on its face. The voter shall then place the voted ballot or ballots, completed certificate, and waiver of the right to a secret ballot for each ballot mailing in a separate envelope, seal the envelope, mark "Absentee Ballot Enclosed" on the envelope, and mail the envelope and its contents to the registrar of voters."
Before the ballot is counted, the registrar will verify the signature on the certificate.

2016 Response:

e. any other stage in registration or voting process in which identification is required (please specify).

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

R.S. 18:1303(I) Voters with disabilities.
(1) – "Any qualified voter who submits any of the following to the registrar of voters may vote absentee by mail upon meeting the requirements of this Chapter:
(a) A copy of a current mobilityimpairment identification card bearing a photograph of the voter and the international symbol of accessibility issued by the secretary of the Department of Public Safety and Corrections as authorized by the provisions of R.S. 47:463.4.
(b) A copy of current documentation showing eligibility for social security disability benefits, veteran's disability benefits, paratransit services, benefits from the office of citizens with developmental disabilities, or benefits from Louisiana Rehabilitation Services.
(c) Current proof of disability from a physician."
R.S. 18:564(D)(1) – Election Day Voting – "(a) Prior to receiving assistance under this Section due to a disability, including visual impairment, the voter shall file with the registrar in person or by mail a statement setting forth the necessity and reasons for this assistance and shall furnish the registrar one of the following:
(i) A certificate of a medical doctor or optometrist certifying

2016 Response:

D3. Please describe your state's laws regarding access to the polling place for election observers. Election observers are people allowed inside the polling place who are not poll workers, election officials or voters. If decisions on access to observers are left to local jurisdictions, please explain.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
R.S. 18:427(B) – "A watcher shall be admitted within all parts of the polling place during the election day and the counting and tabulation of votes, and shall call any infraction of the law to the attention of the commissioners. A watcher may keep notes on the conduct of the election, but he shall not take part in the counting and tabulation of votes. A watcher shall not electioneer, engage in political discussions, or unnecessarily delay a voter at the polling place. A watcher shall be subject to the authority of the commissioners and shall not interfere with the commissioners in the performance of their duties."	

SECTION E: OTHER

E1. Under HAVA, Section 402, states are required to establish and maintain administrative complaint procedures to remedy grievances. Has your state revised its administrative complaint procedures since they were first implemented? If so, how?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

There have been no changes to the administrative complaint procedure that was adopted in 2004.

2016 Response:

E2. Please add any additional comments or information about your state's election administration processes that would help to inform the EAC's interpretation of your data.

☐ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

2016 Response:

* The information collection associated with the Election Administration and Voting Survey is required for the EAC to meet its statutory requirements under the Help America Vote Act (HAVA) of 2002 (42 U.S.C. 15301), the National Voter Registration Act (NVRA) (42 U.S.C. 1973gg-1 et seq.), and the Uniformed and Overseas Citizens Absentee Voters Act (UOCAVA) (42 U.S.C. 1973ff-1). Respondent's obligation to reply to this information collection is mandatory as required under NVRA (42 U.S.C. 1973gg-1 et seq.) and UOCAVA (42 U.S.C. 1973ff-1). This part of the information collection is being requested to help the EAC to better understand state laws governing Federal elections. Respondents include the fifty states, the District of Columbia, and the U.S. Territories. This information will be made publicly available on the EAC website (www.eac.gov). According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is OMB Control No. 3265-0006 (expires 04/30/2017). The time required to complete this information collection is estimated to average 59 hours per state response. This estimate includes the time for reviewing the instructions, gathering information, and completing the form. Comments regarding this burden estimate should be sent the U.S. Election Assistance Commission – 2014 Election Administration and Voting Survey, 1335 East West Highway, Suite 4300, Silver Spring MD, 20910.

NOTES – please place longer responses below