

## Secretary of State (SOS)

- ✓ Elected, Const. Art. 4, Sec. 7
- ✓ Chief election officer of the state. 18:421
- ✓ Administer laws on custody of voting machines and voter registration. 18:18(A)
- ✓ Employ and fix salaries and duties of necessary staff to carry out such functions, subject to CS. 18:18(A)(1)
- ✓ Direct and assist ROV for registration of voters. 18:18(A)(2)
- ✓ Prescribe rules, regulations, forms & instructions, approved by AG for use by ROV. 18:18(A)(3)
- ✓ Obtain and compile data for stats from ROVs in annual report to Legislature. 18:18(A)(4)
- ✓ Coordinate responsibility of NVRA (motor voter federal law). 18:18(6)
- ✓ Prescribe rules, regulations, forms and instruction for use of electronic voting machines for early voting, approved by AG for use by ROV. 18:18(A)(7)
- ✓ Prescribe rules, regulations, forms and instructions for nonpartisan voter education, approved by AG for use by ROV and report annually to Gov., Pres. Senate, Speaker House by 1/31
- ✓ Develop activities, events, informational posters and pamphlets and public service announcements for implementing annual voter registration week and responsible for implementation. 18:18(8)(b)
- ✓ Department of State responsible for assistance to ROV, administration of rules and regulations of SOS relating to registration of voters and reporting, compiling and disseminating registration statistics and information. 18:18(C)
- ✓ May enter into cooperative agreements with other states to share voter registration information to determine whether voter is registered in more than one state. 18:18(D)
- ✓ Contracts for storage of voting machines by public bid, parish or regional basis, and negation for modifications for additional storage space. 18:19
- ✓ Establish a state voter registration computer system. 18:31
- ✓ Department of State responsible for an Elections Compliance Unit to investigate allegations of election irregularities. 18:49.1
- ✓ Required to design and provide a notice informing the public of voter registration at each OMV office. Develop voter registration forms for OMV offices. 18:114
- ✓ Provide each ROV with updated registration list upon request, and current and duplicate precinct register for each precinct in the election. 18:152(C)
- ✓ Send ROV information from DPS&C on felony convictions quarterly, death notices from DHH, judgments of interdiction for mental incompetence. 18:171, 172 and 173
- ✓ Provide voter list for general venire selection to clerk, and to each authority in parish that calls election. 18:175
- ✓ Use USPS or licensee to verify names and addresses of registrants in all precincts in state for annual canvass. 18:192
- ✓ Certify to Governor when an emergency exists in elections. 18:401.1
- ✓ Present emergency plan to governor and legislature. 18:401.3
- ✓ Retain and preserve election records according to schedule. 18:403
- ✓ Develop and print cards of instruction to voters, subject to AG approval. Develop and print informational pamphlet for commissioners use on election day, subject to AG approval. Prepare examinations for commissioners. 18:421
- ✓ Payment of commissioners. 18:425(E)

- ✓ Provide COC Constitutional Amendment statement, approved by AG, explaining scope and nature for proposed amendments to be posted on website. 18:431
- ✓ Provide a form for watchers. 18:435
- ✓ Accept filings for recognition of political parties. 18:441
- ✓ Qualify state candidates. 18:462 and reopen upon death of candidate. 18:469
- ✓ Supply the Supervisory Committee, Campaign Finance Disclosure Act, a list of candidates. 18:470.1
- ✓ Accept notices of withdrawal from candidates. 18:502
- ✓ Issue candidate ballot numbers. 18:551
- ✓ Certify the name of each candidate elected. 18:513
- ✓ Review for approval election precinct boundary changes, mergers, division and consolidation. 18:532.1
- ✓ Prepare and certify absentee by mail ballots, early voting ballots, and voting machine ballots. 18:551
- ✓ Furnish ballots to be used on voting machines, election materials required for each election, state mail voter registration application forms, federal supplies. 18:552
- ✓ Accept complaint filings under Title III of HAVA. 18:567 *et seq.*
- ✓ Accepts filings of resignations and retirements of elected officials, except legislature. 18:652
- ✓ Accepts filings of nominations for presidential electors, withdrawal of candidates. 18:1253
- ✓ Arrange the ballot for presidential candidates. 18:1259
- ✓ Determine the election results for slates of candidates for the governor to issue a certificate to the persons elected and authorize them to cast the vote of the state for president and vice president. 18:1261
- ✓ Qualify candidates for Congress and prepare ballots. 18:1275.4 and 1275.21
- ✓ Provide a form, subject to AG approval, for petition to request election for neighborhood crime prevention and security district tax election. 18:1300.31
- ✓ Prepare absentee by mail and early voting ballots, and envelopes, instructions, certificates and other balloting paraphernalia, subject to AG approval. 18:1306
- ✓ Implement a program for additional early voting locations, subject to legislative approval. 18:1309.2
- ✓ Prescribe uniform rules and regulations with respect to purchase, preparation and use of voting machines and absentee by mail and early voting counting equipment, subject to AG approval. 18:1353
- ✓ Responsible for purchase, sale and transfer of voting machines and counting equipment; maintain, repair and store voting machines and have custody except when placed in custody of COC. Prepare and deliver machines and election supplies for election. Appoint and employ mechanics, experts, and other assistants necessary to carry out these duties, specifically on election day for repair or adjusting of any machine during election day. 18:1353
- ✓ Examine and approve voting machines, counting equipment, employ experts to assist. 18:1361
- ✓ Purchase voting machines out of state funds appropriated for that purpose on basis of public bids, and voting machine parts, supplies. 18:1362
- ✓ Determine the sufficiency of voting machines and absentee by mail and early voting counting equipment necessary to conduct absentee by mail and early voting in an election. Ensure that the number of voting machines and counting equipment placed within a parish for an election is adequate and sufficient to process and count the ballots cast in the election within a reasonable time. And following the election, determine whether the machines and counting equipment shall remain with the ROV, transferred to voting machine warehouse or other storage facility or whether relocated to another parish. 18:1364.

- ✓ Utilize any procedure necessary to accommodate the use of paging DRE voting machines for voting where possible.
- ✓ Contract for the delivery of voting machines and other election equipment to the precincts and for their return for election day voting.
- ✓ Prepare and test voting machines before each election. Notify clerk so he can notify candidates.
- ✓ Pays election expenses and then seeks reimbursement as follows: state pays 1<sup>st</sup> one-half and then remaining one-half of expenses prorated between the state and all local or municipal entities participating in gubernatorial and congressional elections when a local or municipal candidate or local prop appears on the ballot. The pro rata share of a local or municipal entity is determined by dividing the number of that entity's offices or props on the ballot by the total number of all offices or props within that local jurisdiction.
- ✓ Costs for presidential preference primary election is paid by SOS as above, except when a local governing authority is on the ballot, the local shall pay all costs and expenses of the election.
- ✓ Pays the election expenses of ROV and permanent employees for overtime hours for early voting (4:30-6 pm M-F and 8:30-6 both Saturdays)
- ✓ Must be a defendant in all election contest suits.
- ✓ Repository for telephone campaign communication filings

#### State Board of Election Supervisors

- Composed of 7, Lt. Gov, SOS, AG, Commissioner of Elections, member of Clerk's Assoc., ROV assoc., and governor appointee from University nominees.
- Rule making authority, authority to conduct hearing, review election laws and procedures and report to Legislature, employ executive director.
- Required to annually review all election laws/procedures and report to H&GA and S&GA 90 days before session.
- Conduct hearings for complaint under Title III of HAVA. 18:567.2
- Responsible for recount of absentee by mail and early voting ballots. (candidate requesting pays cost, \$50 to each member).

#### LA Board of Ethics

- Administer the LA elections integrity section with investigation power over any aspect of any election. 18:41 *et seq.*

#### Registrar of Voters (ROV)

- Appointed by parish, subject to removal by State Board of Election Supervisors for willful misconduct relating to his official duty, willful and persistent failure to perform his duty, persistent public conduct prejudicial to the administration of law on voter registration that brings the office into disrepute or felony conviction. 18:51 & 53

- 12/15 annually report to SOS on voter education programs implemented in parish. 18:18(A)(8)(a)
- Subject to direction of SOS and law, responsible for registration of voters in his parish, administration and enforcement of laws and rules and regulations of SOS relating to registration of voters. Required to participate in state voter registration computer system. Responsible for conducting absentee by mail and early voting in his parish. 18:58
- Prohibited from political activity and holding elective or appointive office with U.S. or state or any of its agencies or political subdivisions. 18:62 & 63
- Custody and control of records. 18:151
- Deliver precinct register for each precinct to contractor for delivery with voting machines. 18:157
- Conduct annual canvass based on USPS verification. 18:192
- Retain and preserve election records according to schedule. 18:403
- Certify nominating petitions. 18:465
- Post notices of withdrawal for early voting. 18:503
- Compile list of names who voted provisionally, provide available registration documentation to the PBES for the purposes of determining whether or not to count provisional ballots. 18:566.2
- Certify recall petitions. 18:1300.1 *et seq*
- Certify petition for neighborhood crime prevention and security district and parcel fee election. 18:1300.32
- Accept applications for absentee by mail ballots and mail instructions, certificates, ballots, and envelopes. 18:1307, 1308
- Conduct early voting. 18:1309
- Prepare supplemental list of voters. 18:1311
- Retain absentee by mail and early voting ballots. 18:1312
- Conduct nursing home early voting program. 18:1333

#### Department of Public Safety & Corrections (OMV), Public Assistance Agencies

- Required to offer voter registration for each application to obtain, renew, or change the name or address on a driver's license or ID card. 18:114
- Maintain statistical records on the number of applications to register to vote as requested by SOS.
- Public assistance agencies include services under the food stamp, Medicaid, the supplemental food for WIC, FITAP program, or as designed by rule by SOS, and recruitment offices of the armed forces of the U.S. 18:16

#### Parish Governing Authority

- ❖ Furnish office space for ROV, responsible for cost of all equipment and supplies necessary to enable ROV to discharge duties. 18:132
- ❖ May provide a permanent branch office for ROV and/or a mobile registration unit. 18:134
- ❖ Establish precincts, define territorial limits for each precinct established, prescribe their boundaries by ordinance. 18:532
- ❖ Send copy of map and description to ROV and SOS. 18:532

- ❖ Change election precinct boundaries with prior review and approval by SOS, Sec. of Senate and Clerk of House. 18:532.1
- ❖ Establish one polling place for each precinct and complete accessibility survey. 18:533
- ❖ Change polling place by ordinance. 18:534
- ❖ Publish notice of location of polling places established or changed. 18:535
- ❖ Local governing authority calls election for vacancy using dates in 18:402, unless vacancy for municipal office occurs within 1 year of regular election. 18:602

#### Clerks of Court (COC)

- ◆ Chief election officer of the parish. 18:422
- ◆ Ex officio parish custodian of voting machines. 18:1354
- ◆ Submit to SOS names of commissioner worked election within 7 days of election for payment by SOS within 30 days. 18:425(E)
- ◆ Conduct general course of instruction at least once annually. Issue certification of instruction to persons who pass test. 18:431
- ◆ Conduct a pre-election course for commissioners 14 days before presidential or congressional general election, permissive before other elections. 18:431
- ◆ Receive a filing for watchers by candidates. 18:435
- ◆ Qualify local and municipal candidates. 18:462 Can retain no more than 10% but not less than \$10 from qualifying fees to cover office expenses from fees remitted to SOS. 18:464
- ◆ Reopen qualifying upon death of candidate. 18:469
- ◆ Cause notice of withdrawal(s) of candidates to be posted in any polling place where candidates name is on the ballot. 18:503
- ◆ Seal the keys to voting machines and deliver to deputy parish custodian appointed for each polling place, who delivers to commissioner-in-charge, at least 30 minutes before polls open. 18:553
- ◆ Open voting machines on the 3<sup>rd</sup> day following an election, with the assistance of at least 1 member of the PBES and verify election results. 18:573.
- ◆ Tabulate results from each precinct and transmit to SOS on election night. 18:576
- ◆ Notify candidates of time and place of preparation of early voting machines. 18:1309.1
- ◆ Deliver supplemental list of voters on election day. 18:1311
- ◆ Provide instruction of election commissioners and issuance of certificates of instruction; Notify the candidates in election of date/time may examine voting machines; Certify candidate counters, question counters, public counters are set at zero on machines, and certify number on protective counter prior to election; Supervise and have custody of machines from time taken from warehouse to polling place until machines are turned over to commissioners, and from time surrendered by commissioners until returned to SOS at warehouse; Responsible for the trucking and delivery of machines to polling places, providing guards (law enforcement officers); Notify the candidates of date/hour/place of opening of machines; Receive precinct register from ROV, delivered by contractors; employ deputy parish custodians to assist in performance of duties. 18:1354
- ◆ Notify candidates of date, time & place of preparation and testing of voting machines.
- ◆ Notify candidates of date, time & place of sealing of voting machines.
- ◆ Deliver voting machine keys in sealed envelope to Deputy Parish Custodian.
- ◆ Responsible for safeguarding voting machines while in his custody and election results cartridges.

## Parish Board of Election Supervisors (PBES)

- ♣ Supervise the preparation for and conduct of all elections held in parish. 18:423
- ♣ Composed of 5 - ROV, COC, chairman parish executive committee of each recognized party (DEM & REP), and governor appointee. 18:423
- ♣ May consolidate polling places within same location for an election and reduce number of voting machines, notice to COC and SOS. 18:425.1
- ♣ Select commissioners & remove them. 18:433
- ♣ Issue commission to each watcher named on timely filed list. 18:435
- ♣ Publish the location of polling places in the parish at least once before each primary election. 18:535
- ♣ Responsible for counting and tabulating provisional ballots for federal office. 18:566.2
- ♣ Meets for the opening of the voting machines to observe the verification of the votes by the Clerk and prepares returns and files with clerk and SOS. 18:574.
- ♣ Responsible for counting and tabulating absentee by mail and early voting ballots. 18:1313
- ♣ Select parish board commissioners necessary to count absentee by mail and early voting ballots, and provisional ballot count. 18:1314
- ♣ Hear and determine challenges of absentee by mail or early voting ballots. 18:1315
- ♣ Reduce number of voting machines allocated for election. 18:1363

## District Attorney

- Bring action objecting to candidacy after investigation provides reason to believe that a convicted felon is prohibited from qualifying for office under Art. 1, Sec. 10 of Const. 18:495 (request AG to bring if conflict)
- Accepts complaint filings and institutes suit to obtain judgment declaring office vacant, when officeholder fails to meet residence or domicile requirements of office. 18:671 *et seq*

## Legislature (Sec. of Senate and Clerk of House or designees)

- Review proposed changes in precinct boundaries for approval. 18:532.1
- Determine dates for special election for vacancy in office. 18:601

## Drayage Contractor

- ✓ Deliver election machines and material to each polling place under direction of COC and return to voting machine warehouse.

## Deputy Parish Custodian

- May be appointed by COC to assist the Clerk in his duties.
- Receives the voting machines from the drayage contractor at the polling place.
- Responsible for safeguarding machines at polling place.
- Receives the voting machine keys in sealed envelope from Clerk and delivers to election commissioners at the polling place on election day.
- Receive \$75 an election for their duties.

## Attorney General

- Legal Advisor to the ROV and PBES
- Prepares the informational packets for candidates, including a summary of election offenses and penalties for violations.