



**LOUISIANA DEPARTMENT OF STATE  
ELECTIONS DIVISION**

**LEGISLATIVE OVERSIGHT REPORT**

**NOTICE OF INTENT**  
*(Intended Action)*

**TITLE 31**

**ELECTIONS  
LAC 31:II.CHAPTER 1**

**MERIT EVALUATIONS FOR REGISTRARS OF VOTERS AND UNCLASSIFIED  
EMPLOYEES AND REPEAL OF APPEAL PROCESS FOR REGISTRAR OF VOTERS**  
*(Brief Description)*

**INITIAL REPORT**

**COPY OF THE RULE AS IT IS PROPOSED FOR ADOPTION, AMENDMENT, OR  
REPEAL AND STATEMENT OF THE AMOUNT OF THE FEE TO BE ADOPTED OR  
THE AMOUNT OF THE PROPOSED INCREASE OR DECREASE** *(The rule shall be  
coded with any new rule or language that is to be added to an existing agency  
rule underscored and any language that is to be deleted from an existing agency  
rule in struck-through type.)*

Attached is a copy of the notice of intent requiring the department to provide a written explanation to any registrar of voters, chief deputy, or confidential assistant who does not receive an “excellent” rating. In addition, the department is proposing to repeal Section 108 regarding the appeal of merit evaluation for the registrar of voters. A copy of the coded rule is attached.

**STATEMENT OF THE PROPOSED ACTION** *(Whether the rule is proposed for  
adoption, amendment, or repeal; a brief summary of the content of the rule if  
proposed for adoption or repeal; and a brief summary of the change in the rule if  
proposed for amendment.)*

In accordance with Act 358 of the 2016 Regular Session, the Department of State will no longer receive and evaluate appeals beginning with the 2017 merit evaluations. The proposed rule change repeals provisions associated with the Registrars of Voters Evaluation Appeals Committee consideration of appeals for registrars of voters who do not receive an “excellent” in the merit evaluation process conducted by the department. The same act now requires the State Board of Election Supervisors to conduct the appeals process.

In addition, there is a proposed rule change requiring the department to provide a written statement in the merit evaluations if a registrar of voters, chief deputy, or confidential assistant does not receive an “excellent” rating. Originally, this provision was included in Section 108, which is being repealed and is now being placed in Sections 107 and 109.

**SPECIFIC CITATION OF THE ENABLING LEGISLATION PURPORTING TO AUTHORIZE THE ADOPTION, AMENDING, OR REPEAL OF THE RULE OR PURPORTING TO AUTHORIZE THE ADOPTION, INCREASING, OR DECREASING THE FEE**

Under the authority of Act 358 of the 2016 Regular Session and R.S. 18:18, R.S. 18:55, R.S. 18:59, and R.S. 36:742, the proposed rule change repeals provisions associated with the Registrars of Voters Evaluation Appeals Committee’s consideration of appeals for registrars of voters who do not receive an “excellent” in the merit evaluation process conducted by the department. The same act now requires the State Board of Election Supervisors to conduct the appeals process.

In addition, there is a proposed rule change requiring the department to provide a written statement in the merit evaluations if a registrar of voters, chief deputy, or confidential assistant does not receive an “excellent” rating. Based upon the recommendation of the House and Governmental Affairs Committee, this provision was included in Section 108; however, since this Section is being repealed, the department is placing this provision in Sections 107 and 109.

**STATEMENT OF CIRCUMSTANCES WHICH REQUIRE ADOPTION, AMENDING, OR REPEAL OF THE RULE OR THE ADOPTION, INCREASING, OR DECREASING OF THE FEE**

In accordance with Act 358 of the 2016 Regular Session, the Registrars of Voters Evaluation Appeals Committee will no longer receive and evaluate appeals beginning with the 2017 merit evaluations. The same act now requires the State Board of Election Supervisors to conduct the appeals process.

**STATEMENT OF FISCAL IMPACT OF THE PROPOSED ACTION AND STATEMENT OF THE ECONOMIC IMPACT OF THE PROPOSED ACTION, BOTH APPROVED BY THE LEGISLATIVE FISCAL OFFICE**

Attached is a copy of the approved Fiscal and Economic Impact Statement for Administrative Rules.