

~~authority cannot locate any other building or facility in the precinct area for use as a polling place on election day that meets these accessibility rules or it is not feasible to move the polling place to an accessible building or facility outside of the precinct, then the parish governing authority may request an exemption for use of the non-accessible polling place.~~

~~B. A request for an exemption shall be in writing to the Secretary of State, and shall include the following:~~

- ~~1. an accessibility survey for the present polling place for which the exemption is being sought, identifying all of the deficiencies of the building or facility;~~
- ~~2. a description of all efforts made to relocate the polling place to an accessible building;~~
- ~~3. a description of what continued efforts will be made by the parish to achieve compliance during the period that the exemption is in effect;~~
- ~~4. a statement of the approximate length of time needed to meet the compliance requirements; and~~
- ~~5. the signature of the presiding official of the parish governing authority; and~~
- ~~6. any document(s) supporting the parish's request for the exemption shall be included in the request.~~

~~C. The Secretary of State may grant an exemption to the accessibility requirements for a requested polling place in the case of an emergency as provided under R.S. 18:401 et seq., or upon a showing in writing by the parish governing authority that a polling place cannot reasonably be made either permanently accessible or temporarily accessible for an election for non-emergency reasons.~~

~~D. Any granted exemption to a polling place is valid for only one election cycle which includes all primary and general elections, unless otherwise stated by the Secretary of State.~~

~~E. For any polling place which receives an exemption hereunder, the parish governing authority shall certify to the Secretary of State, in writing, that reasonable notice was given to all eligible voters in the precinct that their polling place is not accessible but that they may vote either at the registrar of voter's office during early voting, or at an alternate accessible polling location on election day as directed by the registrar of voters. The address of the alternate accessible location shall be specified in the notice. Reasonable notice shall include posting of public notice at the parish courthouse and at the non-accessible polling place, mailing of notice no later than 21 days to all eligible voters prior to an election, and advertisement in the official parish journal or the local newspaper of general circulation, telephone, television, and/or radio at the cost of the parish governing authority.~~

~~F. A certification of exemption from these accessibility requirements may be requested by the parish to the Secretary of State by telephone or other electronic means, provided it is followed up in writing as soon as practicable as provided for herein.~~

~~AUTHORITY NOTE: Promulgated in accordance with R.S. 18: 533, R.S. 36:742, 42 U.S.C. 1973ee et seq., and Public Law 107-252.~~

~~HISTORICAL NOTE: Promulgated by the Department of State, Elections Division, LR 35:1263 (July 2009).~~

~~**§111. Repeal Prior Rules and Regulations**~~

~~A. All rules and regulations adopted by the Department of Elections and Registration in April 1986 are hereby repealed in their entirety.~~

~~AUTHORITY NOTE: Promulgated in accordance with R.S. 18: 533, R.S. 36:742, 42 U.S.C. 1973ee et seq., and Public Law 107-252.~~

~~HISTORICAL NOTE: Promulgated by the Department of State, Elections Division, LR 35:1263 (July 2009).~~

Chapter 3. Opportunity to Cure Deficiencies in Absentee by Mail Ballots

§301. Absentee by Mail Ballot Deficiencies that May Be Cured

A. Each registrar of voters shall review the absentee by mail ballot envelope flap for the following deficiencies:

1. missing voter signature;
2. missing witness signature; and incomplete affidavit information, including but not limited to missing election date and voter information.

This review shall be conducted immediately upon receipt of the absentee by mail ballot.

~~AUTHORITY NOTE: Promulgated in accordance with R.S. 18:18(A)(3) and R.S. 36:742.~~

~~HISTORICAL NOTE: Promulgated by the Department of State, Elections Division, LR 47:1538 (October 2021).~~

§303. Absentee Ballot Deficiency Notification

A. Upon receipt of an absentee by mail ballot envelope flap with one or more of the above identified deficiencies, the registrar of voters shall segregate the ballot envelope and promptly notify the voter of the ballot envelope flap deficiency and of the opportunity to cure the deficiency.

B. The registrar of voters shall identify the ballot in the voter's absentee record and notate it as "deficient with opportunity to cure."

C. The registrar shall immediately mail a written notice of the ballot envelope flap deficiency and the opportunity to cure the deficiency. If there is a telephone number or email address available in the voter's registration record, the registrar shall also attempt to contact the voter by telephone or email.

D. All deficiency notifications shall inform the voter of the type of deficiency, the process for curing the deficiency, and the deadline and method to cure the deficiency. The registrar shall make a log of the date and methods of contact for each voter.

E. Effective February 1, 2022, there will be a space on the Secretary of State website area to Check Absentee

Ballots indicating that the voter has been notified of an opportunity to cure a deficiency.

F. Voters are required to appear in person at their registrar of voters office during normal business hours until 4:30 p.m. the day before the election to cure the ballot envelope flap deficiency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 18:18(A)(3) and R.S. 36:742.

HISTORICAL NOTE: Promulgated by the Department of State, Elections Division, LR 47:1538 (October 2021).

§305. Curing Absentee by Mail Ballot Deficiencies

A. To cure a missing voter signature, the voter shall appear at the office of the registrar and sign the ballot envelope flap in the presence of an employee of the registrar of voters. The employee of the registrar who observes the signature shall also sign the ballot envelope flap as witness.

B. To cure a missing witness signature, the voter shall appear at the office of the registrar and resign the ballot envelope flap in the presence of an employee of the registrar of voters. The employee of the registrar who observes the signature shall sign the ballot envelope flap as witness.

C. To cure an incomplete affidavit, the voter shall appear at the office of the registrar and complete the affidavit on the ballot envelope flap.

D. If the voter appears at the office of the registrar to cure the deficiency, the notation in the voter's absentee record shall be updated to so reflect.

AUTHORITY NOTE: Promulgated in accordance with R.S. 18:18(A)(3) and R.S. 36:742.

HISTORICAL NOTE: Promulgated by the Department of State, Elections Division, LR 47:1538 (October 2021).

Chapter 5. Election Night Transmission of Results

§501. Responsibility of Secretary of State

A. ~~The Secretary of State shall provide each clerk of court's office with written instructions on the election results transmission process.~~

B. ~~These written instructions shall provide specific uniform tasks that must be performed by the clerk of court's office to effectively transmit election night results.~~

AUTHORITY NOTE: ~~Promulgated in accordance with R.S. 18:576(B) and R.S. 36:742.~~

HISTORICAL NOTE: ~~Promulgated by the Department of State, Elections Division, LR 33:1881 (September 2007).~~

§503. Responsibility of Clerk of Court

A. ~~The clerk of court shall follow proper procedures for transmitting all election results, as provided by the transmittal procedures established by the department.~~

AUTHORITY NOTE: ~~Promulgated in accordance with R.S. 18:576(B) and R.S. 36:742.~~

HISTORICAL NOTE: ~~Promulgated by the Department of State, Elections Division, LR 33:1881 (September 2007).~~

§505. ~~Transmission of Election Night Returns~~

A. ~~The clerk of court's office shall immediately load the contents of election results cartridges onto the Department of State's laptop as they are received by the clerk of court. Once all of the cartridges for a whole precinct are loaded onto the laptop, the clerk of court's office shall immediately transmit the election results to the Louisiana Secretary of State's Elections and Registration Information Network (ERIN) and verify that the system is properly transmitting election results. The clerk of court may verify by checking ERIN and/or the Secretary of State's website (www.GeauxVote.com) for the posting of the first transmission of election returns, or by telephoning the department's election division.~~

B. ~~Once it has been verified that the first transmission was successful, the clerk of court shall transmit all remaining election results to the Department of State at least every 30 minutes or less, until all election results cartridges have been loaded and transmitted according to transmittal procedures established by the department.~~

C. ~~The transmission of election results shall begin no later than 45 minutes after the polls are closed unless there is a technical or unforeseen problem which prevents the clerk of court from doing so, in which case the clerk shall contact the department to communicate such information.~~

D. ~~If the clerk of court's office has its own computer system to display election results, the results shall be loaded onto that system only after the information has been properly transmitted to the department, and such results shall be displayed and clearly identified as the unofficial results of the clerk of court. However, in the event of a technical or unforeseen problem which prevents the clerk of court from transmitting election results to the department, after communicating such information to the department, the clerk may display election results on his own computer system.~~

E. ~~Any election results posted in the clerk of court's office obtained or displayed from of the Department of State's webpage or ERIN shall be clearly identified as the Department of State's unofficial results.~~

F. ~~The clerk of court shall check ERIN and/or the Secretary of State's website (www.GeauxVote.com) for the posting of the election returns in their parish to verify that all precincts are posted, with 100 percent reporting before closing their office for the evening. Each race must show all precincts reporting prior to ending the transmission process. The clerk of court should contact the Department of State before leaving for the night.~~

AUTHORITY NOTE: ~~Promulgated in accordance with R.S. 18:576(B) and R.S. 36:742.~~

HISTORICAL NOTE: ~~Promulgated by the Department of State, Elections Division, LR 33:1881 (September 2007).~~