



May 6, 2025

Sent via email

Committee on House and Governmental Affairs
 Box 94062
 900 North 3rd Street
 Baton Rouge, LA 70804
h&ga@legis.la.gov

RE: Support for HB405

Dear Chairman Beaulieu and Members of the Committee on House and Governmental Affairs:

On behalf of the NAACP Legal Defense Fund and Educational Fund, Inc. (“Legal Defense Fund” or “LDF”), Power Coalition for Equity and Justice, A Bella LaFemme Society, Amandla Group, Campaign Legal Center, League of Women Voters of Louisiana, NAACP Louisiana State Conference, National Council of Jewish Women Greater New Orleans Section, and Southern Poverty Law Center we write in support of House Bill 405 (“HB405”) and all efforts to codify transparent and routine communication by the Secretary of State regarding changes to the Election Code. HB405 aims to ensure election law changes do not cause public confusion or lead to unintended violations by voters and the groups that aim to assist them due to lack of understanding in the absence of guidance from the Secretary of State as Louisiana’s chief election official. To alleviate burdens placed on voters to track and decipher changes to the Code following legislative sessions, HB405 codifies into law best

practices to capture and communicate these changes and foster compliance. We encourage your support of HB405 through all stages of this legislative process.

HB405 Will Ensure Transparent and Routine Communication with the Public to Foster Compliance with Election Laws

HB405 contains two overarching mechanisms to foster transparency in election law changes and compliance among the individuals and entities to whom they apply. First, the bill establishes reasonable publishing requirements for revisions to the Election Code following legislative sessions by the Secretary of State, which serves to ensure voters are informed and readily able to comprehend election law changes. Specifically, the bill requires the Office of the Secretary of State to post a revised PDF version of the Election Code on their website within 60 days of the close of a legislative session when voting laws change. The critical function of the 60-day deadline is to foster swift transparency for voters and civic engagement organizations who may otherwise be unaware of changes made to the Election Code or how they interact with the rest of the Code.

Second, the bill requires the Secretary of State to publish online a plain language digest summarizing the effects, mechanisms, and implementation dates for election related bills within 90 days of a legislative session. Plain-language summaries of election law changes communicate to civic engagement organizations and voters, who must routinely comply with the Election Code, the changes critical to the operation and actions they undertake as part of their civic duty. Ultimately, the law will ensure that groups and individuals are best positioned to comply with election-related changes, which is critical for the security and efficiency of elections across Louisiana.

The Secretary of State is Best Positioned to Interpret and Communicate Changes to Louisiana Election Laws

As the state's chief election officer, the Secretary of State has a responsibility to convey to the public key information pertaining to election laws.¹ Indeed, effective election administration requires transparent communication of changes to these laws to maintain an informed and engaged public. HB405 ensures transparency regarding Election Code changes through accessible web dissemination and reinforces the Secretary of State's obligations as Louisiana's foremost authority on election law enforcement.

Each year, the Secretary of State's office works closely within the legislative process to facilitate changes to the Election Code.² This activity is conducted in tandem with the office's responsibility to prescribe rules, regulations, forms, and instructions for certain topics, including nonpartisan voter education.³ Accordingly, the office is in prime position to communicate in understandable terms the most pertinent information

¹ See generally La. R.S. 18§18.

² See, e.g., La. R.S. 18§23(A)(3); 18§24(a)(3); 18§24(A)-(B).

³ La. R.S. 18§18(A)(8)(a).

related to changes made to the Election Code, including the legal effects, dates of enforcement, and enforcement mechanisms. HB405 thus rightfully directs the Secretary of State to provide this information in an accessible public manner on a routine timeline.

HB405 Codifies and Expands Previous Best Practices for Transparent Communication Regarding Election Law Changes

In recent years, the Secretary of State's Office has provided a revised PDF version of the Election Code on its website.⁴ This publication has been a joint effort between the Secretary of State's Office and the House of Representatives through the House Statutory Database, primarily for purposes of drafting legislation.⁵ The practice has also provided for public transparency of the full contents of the Election Code in a comprehensive, accessible, and easily searchable format—especially for members of the public who do not have access to, or experience using, statutory, subscription-based, or legal search engines like Westlaw or LexisNexis. Currently, however, this practice of posting the PDF Election Code on the Secretary's website is not required by law, which subjects it to risks of discontinuation in future administration. HB405 will codify into law this best practice to ensure transparent and routine communication with the public of the most up-to-date Election Code.

HB405 further acknowledges that while a published Election Code is an important and useful resource, it is also important for the Secretary of State to provide a plain-language summary of changes to the Code to ensure voters and organizations needing to comply with these election regulations do not need to sort through the hundreds of pages of the Code to understand and comply with the changes. By requiring the Secretary of State to publish a digest of election law changes within 90 days of a legislative session, HB405 once again aims to codify and expand upon best practices from recent years.

For example, in 2024, the Legislature amended the Election Code concerning third-party voter registration drives.⁶ Prior to the law's implementation, civic engagement groups that dedicate finite resources to voter registration efforts were without guidance regarding the steps necessary to ensure future compliance. Luckily, as captured below, the Secretary of State's Office prominently posted to its webpage guidance that detailed the changes and stated the standards which groups and individuals needed to abide by to ensure compliance.

⁴ See, e.g., La. Sec. of State, State of Louisiana Election Code Title 18 of the Louisiana Revised Statutes, As Amended Through the 2024 Third Extraordinary Session, available (Feb. 2025) <https://www.sos.la.gov/ElectionsAndVoting/PublishedDocuments/ElectionCode.pdf>.

⁵ *Id.*

⁶ La. Act 701 (2024), <https://www.legis.la.gov/legis/ViewDocument.aspx?d=1382722>.



Source: La. Sec. of State, Elections & Voting (screenshot taken August 2024),
<https://www.sos.la.gov/ElectionsAndVoting/Pages/default.aspx>.

As another example, in 2024, the Secretary of State produced a plain-language graphic that summarized the effect and implementation timeline of three separate bills that impacted absentee voting laws:

New Absentee Voting Laws Take Effect on Aug. 1

- **Act 380:** No person except the immediate family member of the voter shall deliver by any means more than one marked ballot per election to the registrar of voters.
- **Act 302:** No person except the immediate family member of the voter, or an employee of the registrar of voters or the election division of the Department of State shall assist more than one voter in completing their absentee ballot.
- **Act 317:** No person except the immediate family member of the voter shall submit by any means more than one completed absentee ballot application to the registrar of voters. Further, no person, organization, or entity shall distribute an absentee ballot application to any person who has not requested it.

***Immediate family member is defined as:** “the individual’s children, the spouses of his children, his brothers and their spouses, his sisters and their spouses, his parents, his spouse, and the parents of his spouse.”

Source: La. Sec. of State, Facebook.com (Sept. 12, 2024) (“New laws concerning absentee voting security took effect this summer. Visit [geauxvote.com](https://www.geauxvote.com) to find out more. #GeauxVote”) <https://www.facebook.com/Louisianasos/photos/new-laws-concerning-absentee-voting-security-took-effect-this-summer-visit-geaux/983518660469716/?rdr>.

This information provided groups and voters with the opportunity to familiarize themselves with the important changes, and thus, act accordingly. Because civic engagement organizations devote finite resources towards organizing, mobilizing, educating, and assisting voters, when changes to laws are belatedly relayed, or in the worst-case scenario, not relayed at all, the organizations' efforts are placed into a holding pattern until they are able to determine the impact such changes will have on their operations. Voters, in turn, are disadvantaged. Adoption of HB405 will mitigate these risks by providing transparent and routine information in a readily digestible format for the public's benefit.

Without the adoption of HB405, positive efforts like those described above remain at the whim of various administrations of the Secretary of State's Office rather than a codified requirement of law. It is in the best interest of lawmakers to ensure that the laws they pass are communicated in transparent, efficient, and accessible ways to ensure robust enforcement and informed constituencies. HB405 is a commonsense transparency measure, and we encourage your support of its passage. Please reach out to DeMetris Causer at dcauser@naacpldf.org should you have any questions. Thank you for your consideration.

Sincerely,

/s/

Victoria Wenger
Legal Defense Fund
40 Rector Street, 5th Fl.
New York, NY 10006

DeMetris Causer
Legal Defense Fund
700 14th St. N.W., Ste. 600
Washington, D.C. 20005

Ashley Shelton
Power Coalition for Equity and Justice
4930 Washington Avenue
New Orleans, LA 70125

Laketa M. Smith
Executive Director-Founder
A Bella LaFemme Society

Frankie Robertson
President
Amandla Group

Valencia Richardson
Legal Counsel, Voting Rights
Campaign Legal Center

M. Christian Green
President
League of Women Voters of Louisiana

Michael McClanahan
President
NAACP Louisiana State Conference

Sylvia Finger
National Council of Jewish Women
Greater New Orleans Section

Sabrina Khan
Senior Supervising Attorney
Southern Poverty Law Center

Legal Defense Fund (LDF)

Since its founding in 1940, LDF has used litigation, policy advocacy, public education, and community organizing strategies to achieve racial justice and equity in education, economic justice, political participation, and criminal justice. Throughout its history, LDF has worked to enforce and promote laws and policies that increase access to the electoral process and prohibit voter discrimination, intimidation, and suppression.

Power Coalition for Equity and Justice

The Power Coalition for Equity and Justice works to build voice and power in traditionally ignored communities. We are a coalition of groups from across Louisiana whose mission is to organize in impacted communities, educate and turn out voters, and fight for policies that create a more equitable and just system in Louisiana.

A Bella LaFemme Society

A Bella LaFemme Society's mission is dedicated to providing collegiate minority women with scholarships to promote mental wellness. We are structured to empower, advocate, alleviate hardships, reduce traumas through building resourceful sisterhoods within our communities.

Amandla Group

The Amandla Group works with organizations that address the social and political determinants of health that directly impact the health of Black birthing people.

Campaign Legal Center (CLC)

Campaign Legal Center (CLC) is a nonpartisan organization that advocates for every eligible voter to meaningfully participate in the democratic process. We use tactics such

as litigation, policy advocacy and communications to make systemic impact at all levels of government.

League of Women Voters of Louisiana

The League of Women Voters of Louisiana is a nonpartisan political organization encouraging informed and active participation in government. It influences public policy through education and advocacy.

NAACP Louisiana State Conference

The mission of the National Association for the Advancement of Colored People (NAACP) is to achieve equity, political rights, and social inclusion by advancing policies and practices that expand human and civil rights, eliminate discrimination, and accelerate the well-being, education, and economic security of Black people and all persons of color.

National Council of Jewish Women Greater New Orleans Section

The National Council of Jewish Women (NCJW) is a grassroots organization of volunteers and advocates who turn progressive ideals into action. Inspired by Jewish values, NCJW strives for social justice by improving the quality of life for women, children, and families and by safeguarding individual rights and freedoms.

Southern Poverty Law Center Action Fund

SPLC Action is a catalyst for racial justice in the South and beyond, working in partnership with communities to dismantle white supremacy, strengthen intersectional movements, and advance the human rights of all people.