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Secretary of State

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Voting Precinct and Polling Place Handbook

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Commissioner of Elections

Election Hotline: 800.883.2805

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Part I: Polling Locations

I. What is a Polling Place?

- A. A polling place is any location where voting, either early or on Election Day, is conducted.
- B. One polling place is required for each precinct; however, a parish governing authority shall, to the extent possible, locate multiple precincts in a polling location, if they determine this to be efficient, cost-effective, and convenient to voters.
- C. A polling place is required to have the following features:
 - 1. Proper electric current, fixtures, and outlets necessary to properly operate the voting machines and conduct the elections;
 - 2. Sanitary facilities available;
 - 3. Located in a suitable public building (all public bodies are required to allow the use of public building as voting precincts without cost or charge when the parish governing authority requires it);
 - 4. Comply with accessibility standards for individuals with disabilities adopted by the secretary of state. [See Appendix A](#)

II. Prohibited Locations of Polling Places

- A. Place where alcoholic beverages are served unless a nonprofit organization whose principal business is not the dispensing of alcoholic beverages, but none shall be dispensed on premises during an election or for 3 hours before polls open;
- B. Jail, penitentiary, or other penal institution;
- C. Mental hospital or mental health center;
- D. Eleemosynary (Charitable) institution where wards of the state are confined, except educational institutions and U.S. Marine Hospital No. 88 at Carville; or
- E. Private property owned, occupied or leased by a candidate in an election or spouse of such candidate, or an officer or employee of the state or its political subdivisions.

III. Private Property

- A. Private Property may be used for polling locations when necessary and may be leased for no more than \$150 for each election. The following conditions must be met:
 - 1. Written lease (form shall be obtained through the secretary of state's office or online at www.sos.la.gov under "Get Forms & Publications>Download Elections Forms" [See Appendix B](#);

2. Lease recorded in office of clerk of court, prominently posted in office of registrar of voters, and filed with the secretary of state;
3. No payment shall be made by the secretary of state if the lease is not filed in his office at least 30 days prior to election, unless a change in location of the polling place was necessitated immediately prior to the election. Such lease contracts shall be filed with the secretary of state no later than 10 days following an election.

IV. Liability of Polling Places

- A. There is no general liability of an owner, lessee, or occupant of a premise used as a polling place on Election Day for injury to persons or property which occurs on the premises while it is being used as a polling place on Election Day. However, any liability for willful or malicious injury to persons or property or liability imposed on the owner, lessee or occupant of the premises pursuant to Civil Code [Article 2317](#) and [Article 2322](#) are enforceable by private right of action. Civil Code [Article 2317](#) provides for liability for damage caused by others who are answerable to owner and things in his custody and [Article 2322](#) provides for liability for damage caused by ruin of a building.

V. How is a Polling Place Established?

- A. The parish governing authority shall establish one (1) polling place for each precinct by ordinance.
- B. The parish governing authority shall locate multiple precincts in a polling location as described in [Section I](#).
- C. See Provisions in Sections [I](#), [II](#), and [III](#) for location of polling places.
- D. All precincts must be accessible and have a certified accessibility survey filed with the secretary of state. See [Appendix A](#) or online at www.sos.la.gov under *Get Forms & Publications > Download Elections Forms*.
- E. Polling places cannot be changed after the opening of qualifying or if no candidate election and only a bond, tax or proposition on the ballot, prior to the 46th day before the election, except in the case of an emergency.
- F. Emergency polling place moves may be made by the parish president by letter to the secretary of state's office to request a temporary move, but a change of location by the parish president shall not be permanent unless the governing authority of the parish votes to approve the change. See [Section VII](#) on *Emergency Changes*

VI. Publication of Polling Places

- A. When a polling place is established or changed, notice of its location shall be published by the parish governing authority in the official journal of the parish.
- B. Publication is required of the location of polling places at least once before each primary election, in the official journal during the 3rd week before the primary election.

VII. Emergency Changes for Polling Places

- A. Polling places cannot be changed after the opening of qualifying or if no candidate election and only a bond, tax or proposition on the ballot, commencing on the 46th day before the election, except in the case of an emergency.
- B. When a polling place becomes unavailable due to an emergency caused by any reason and must be changed during the window of no changes (between qualifying and election date; between 46th before election and election date if prop election only), the following is required to be completed by the Parish Governing Authority:
 - 1. Adopt an ordinance to move the polling place location and submit the ordinance to the secretary of state with an accessibility survey for approval. The parish president (president of any parish, mayor-president, mayor of New Orleans, police jury president, or Parish Administrator of Caddo parish) may change the location by sending a letter to the secretary of state with an accessibility survey for approval. A change in a polling place by the parish president is NOT permanent and the polling place reverts back to the pre-emergency location unless the governing authority votes to approve the change and submits the change by ordinance to the secretary of state before the next election.
 - 2. Each candidate shall be given immediate notice by telephone and certified mail of the new location;
 - 3. A sign shall be posted at the former polling place directing voters to new location;
 - 4. An employee of parish governing authority shall be posted at former polling place to direct voters to new polling place. Employee is required to have the same qualifications as the parish deputy custodian and is required to take the constitutional oath administered by the clerk;
 - 5. If reasonable time exists, publish the change in the official journal and any other newspaper of general circulation in the precinct(s) affected, under the heading “NOTICE OF CHANGE OF POLLING PLACE”; and

6. Take any other reasonable steps deemed necessary or desirable to inform the voters and candidates of the change in location, including but not limited to posting notices on utility poles and advertisements in electronic and/or social media, if available.
 7. Accessibility surveys are required to be sent to the secretary of state for approval of the change.
- C. When a Clerk of Court or Parish Governing Authority determines, in conjunction with the secretary of state, that a polling place is destroyed, inaccessible, or unsafe due to an emergency or common disaster occurring before or during an election, the secretary may issue a certification of a state of emergency allowing the polling place to be relocated to allow voting to continue. The clerk and presiding officer of the parish shall relocate any such polling place upon issuance of the certificate.
1. The polling place shall be relocated to the nearest feasible and accessible location as determined by the secretary upon the clerk and parish officer's recommendation.
 2. Adequate notice of the relocation shall be given to each registered voter and candidate affected, if practicable by:
 - a. Calling or emailing each candidate, and by certified mail if reasonable time exists;
 - b. Posting a sign at former polling place directing voters to new location;
 - c. Stationing an employee of the parish governing authority at former polling place, if practicable, to direct potential voters to new location. Employees required to take an oath given by clerk;
 - d. Publishing a notice of relocation by the clerk in an official journal and any other newspaper, if reasonable time exists;
and
 - e. Taking any other steps deemed necessary or desirable by the clerk to inform voters and candidates.

Appendix A: Parish Polling Place Accessibility Survey

PARISH POLLING PLACE ACCESSIBILITY SURVEY

(PLEASE COMPLETE ONE FORM FOR EACH POLLING PLACE NOT PRECINCT) (REVISED 12/2016)

Note: All questions must be answered.

PARISH: _____ WARD/PRECINCT(S): _____

POLLING PLACE NAME: _____

POLLING PLACE ADDRESS: _____
 (STREET ADDRESS, CITY, ZIP CODE)

PARKING:

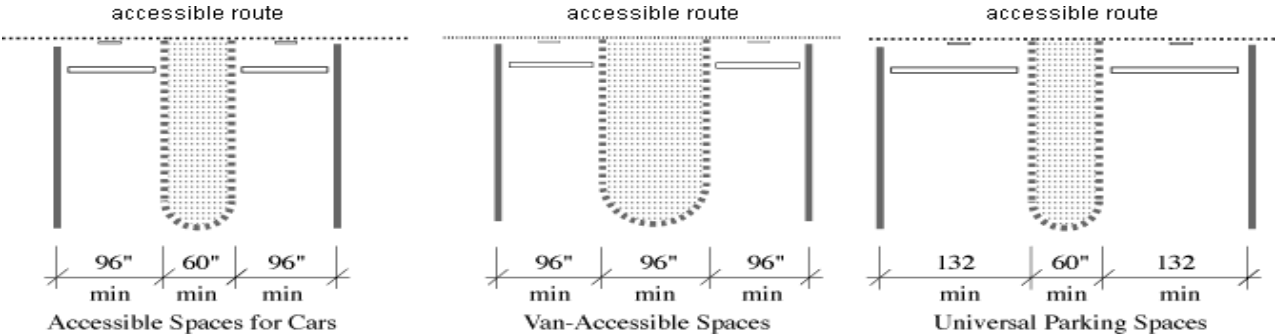
1. Grand Total # of Parking Spaces (Regular and Accessible Parking Spaces) available for the polling place on Election Day _____

Total # of Permanent Van-Accessible (96" Wide Access Aisle) and/or Universal Parking Spaces (60" Wide Access Aisle) _____
 (See *Illustrations A and B* for examples of accessible parking spaces)

Total # of Permanent Car Accessible (60" Wide Access Aisle) _____
 (See *Illustrations A and B* for examples of accessible parking spaces)

Total # of Regular Parking Spaces _____

Illustration A. All three examples illustrated below show two accessible spaces with an accessible aisle and route.



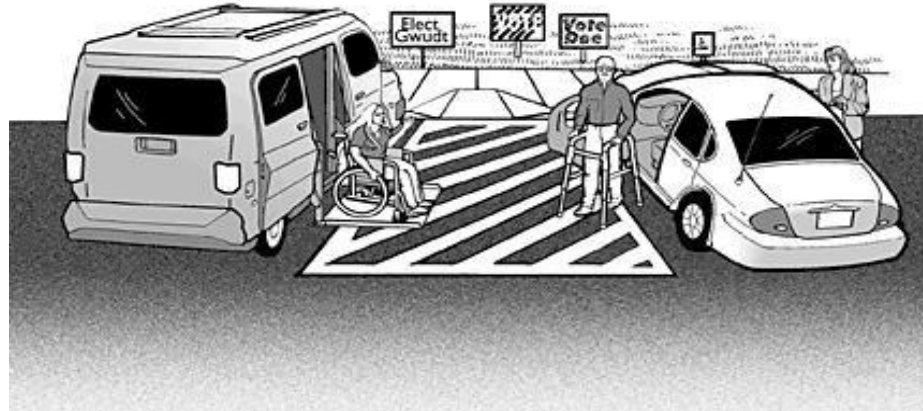
FOR SECRETARY OF STATE OFFICE USE ONLY:

Accessibility Status:

Y N T E

Reviewer Initials & Date: _____

Illustration B. Van-accessible and universal parking spaces serve both cars and vans. A wide access aisle is needed so a wheelchair lift may be lowered from a van onto a level surface. (If the access aisle is not marked off, two orange cones (minimum of 12" high) can be placed at the entrance to the parking place to mark off the access aisle on Election Day.) The access aisle surface must be either made of concrete or blacktop. If the access aisle is made of gravel, limestone, grass, or dirt, a temporary mat must be used on Election Day for the access aisle all the way to a concrete sidewalk or to the entrance to the polling place.



2. Does the polling place have the minimum number of accessible parking spaces required in *Illustration C* (below)? **YES** **NO**

Illustration C. Minimum Number of Accessible Spaces for Polling Place

Total Spaces	Required Minimum Number of Accessible Spaces
1 – 25	One van or universal accessible space w/access aisle
26 – 50	One van or universal accessible space w/access aisle + one car, van, or universal accessible space w/access aisle
51 – 75	One van or universal accessible space w/access aisle + two car, van, or universal accessible spaces w/access aisles
76 – 100	One van or universal accessible space w/access aisle + three car, van, or universal accessible spaces w/access aisles
101 – 150	One van or universal accessible space w/access aisle + four car, van, or universal accessible spaces w/access aisles
151 – 200	One van or universal accessible space w/access aisle + five car, van, or universal accessible spaces w/access aisles
201 – 300	One van or universal accessible space w/access aisle + six car, van, or universal accessible spaces w/access aisles
301 – 400	One van or universal accessible space w/access aisle + seven car, van, or universal accessible spaces w/access aisles
401 – 500	Two van or universal accessible spaces w/access aisle + seven car, van, or universal accessible spaces w/access aisle

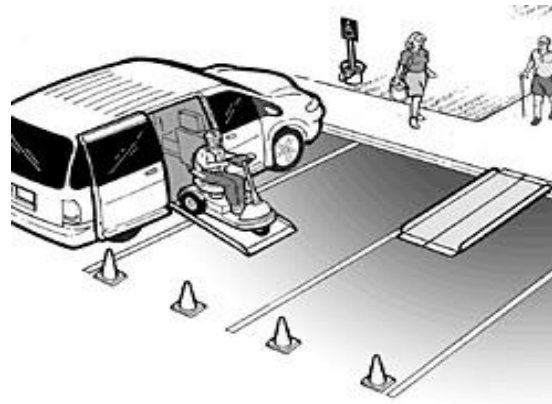
3. If there are NO van-accessible, universal, or car accessible parking spaces, or if the total number of permanent accessible parking spaces is less than the number of accessible parking spaces required in *Illustration C*, provide the total number of temporary accessible parking spaces that will be available on Election Day.

Total # of Temporary Van-Accessible (96" Wide Access Aisle) and/or Universal Parking Spaces (60" Wide Access Aisle) _____

Total # of Temporary Car Accessible (60" Wide) _____

4. Total # of Temporary Cones to be used on Election Day to mark off temporary van-accessible, universal, or car-accessible spaces (2 cones must be used for each converted parking space). See *Illustration D* below.) _____

Illustration D. Three standard parking spaces are converted into an accessible parking space with an access aisle. Cones mark the access aisle and a temporary curb ramp with edge protection connects to an accessible route to the polling place.



5. If there is NO parking lot available for voters, is there at least one parking space on the street designated YES NO N/A
or that will be designated as the van-accessible parking space for Election Day?

of Permanently marked van-accessible parking spaces on the street _____

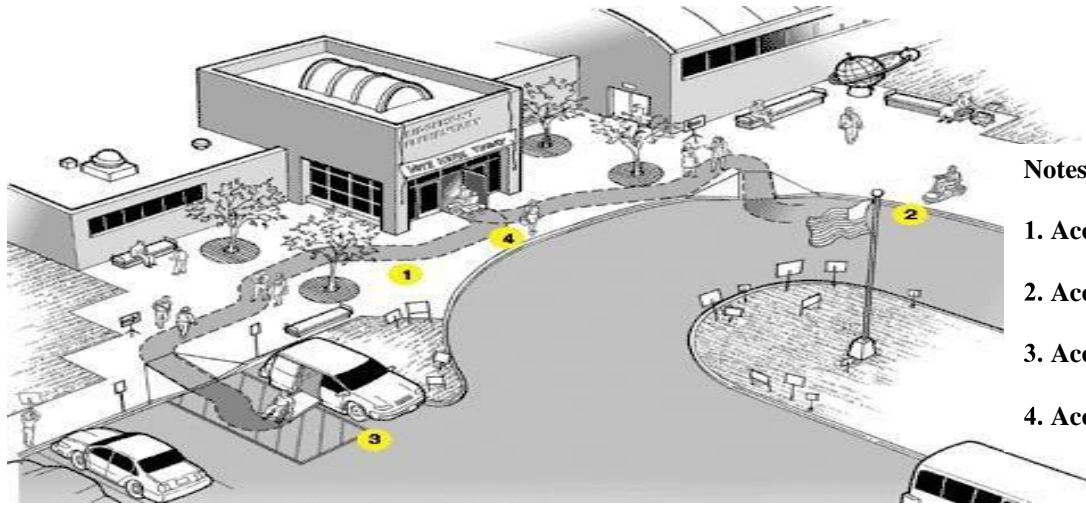
of Temporary van-accessible parking spaces on the street that will be available on Election Day _____

6. Are all accessible parking spaces, including the access aisle, relatively level? YES NO

- | | | | |
|---|------------|-----------|------------|
| 7. If the answer to 6 above is NO , is there another location at the facility nearby that could serve as an accessible parking space which is level with an accessible route to the accessible entrance to the voting area? | YES | NO | N/A |
| 8. Does each accessible parking space have a sign with the symbol of accessibility that is visible when a vehicle is parked in the space? | YES | NO | |
| 9. If the answer to 8 above is NO , can a temporary sign be placed for Election Day? | YES | NO | N/A |

TRAVEL TO THE VOTING SITE:

Illustration E. An accessible entrance to a polling place with accessible parking and an accessible drop-off area.



Notes:

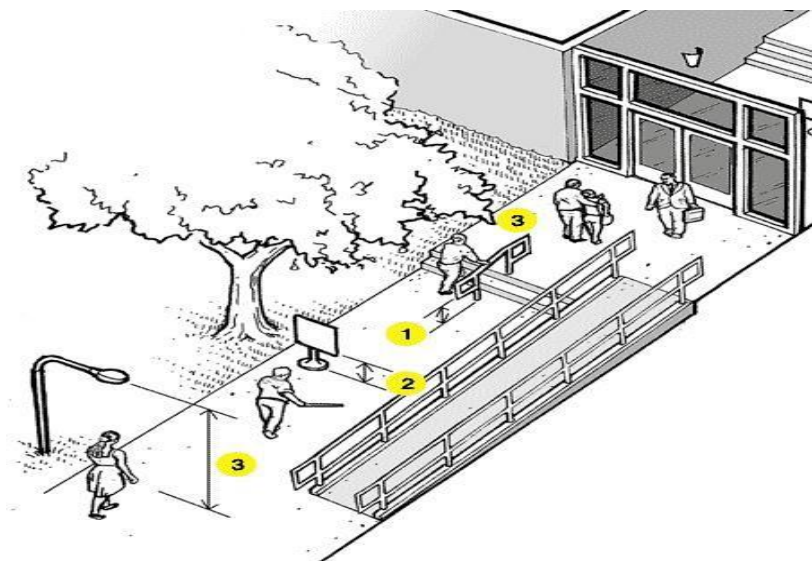
- 1. Accessible route.
- 2. Accessible drop-off area.
- 3. Accessible parking with van accessible parking space.
- 4. Accessible entrance to polling place.

1. Accessible route from the parking area to the entrance to the voting site (See *Illustration E* above):

- a. Is there a flat surface or curb cuts to access the sidewalk to the polling place? YES NO
- b. If the answer to **1a** is **NO**, will a temporary ramp be used to provide access to the sidewalk? YES NO N/A
- c. Is the surface of the path made of concrete, asphalt, or other hard surface that is smooth enough for a person using a wheelchair to pass over easily? YES NO
- d. If the answer to **1c** is **NO**, describe the surface of the accessible path (i.e. gravel, dirt, limestone, etc.):

- e. If the answer to **1c** is **NO**, is there a temporary mat which will be in place on Election Day to make the path accessible? What type of mat will be used? YES NO N/A

Illustration F. Common objects along pedestrian routes to a polling place that can be hazards to people who are blind or have low vision.



Notes:

1. The bottom of the handrail extensions turn down so a person who is blind or has low vision can detect the hazard before running into it.
2. Signs or other objects in the pedestrian route can be a hazard if the bottom is more than 27 inches but less than 80 inches above the route.
3. Objects that overhang the pedestrian route must be at least 80 inches above the route.

2. Path of travel (See *Illustration F* above):

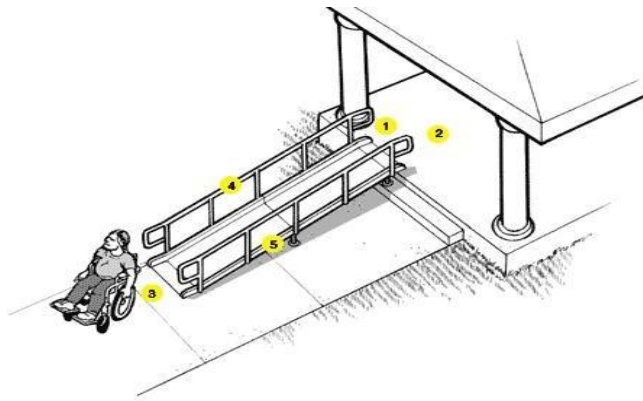
a. Is there a clear path of travel -- free of any objects with bottom edges that are higher than 27 inches but less than 80 inches above the walkway and that extend more than 4 inches into the sidewalk or walkway? **YES NO**
 If **NO**, what will be done before Election Day to make the path of travel clear?

b. Are all tree branches and other objects that extend into the walkway higher than 80 inches? **YES NO N/A**
 If **NO**, what will be done before Election Day to clear the path of travel? (Use **N/A** if there are no tree branches or other objects over the walkway.) _____

3. Is there an accessible route from public sidewalks or transportation stops to the voting site? **YES NO N/A**
 If **NO**, what will be done before Election Day to make the route accessible? (Use **N/A** if there are no public sidewalks or transportation stops.) _____

ACCESSIBLE ENTRANCE:

Illustration G. Accessible Ramp Features:



Notes:

1. At least 36 inches between handrails.
2. Top landing part of walk.
3. Bottom landing part of walk.
4. Handrail height 34 to 38 inches.
5. Edge protection.

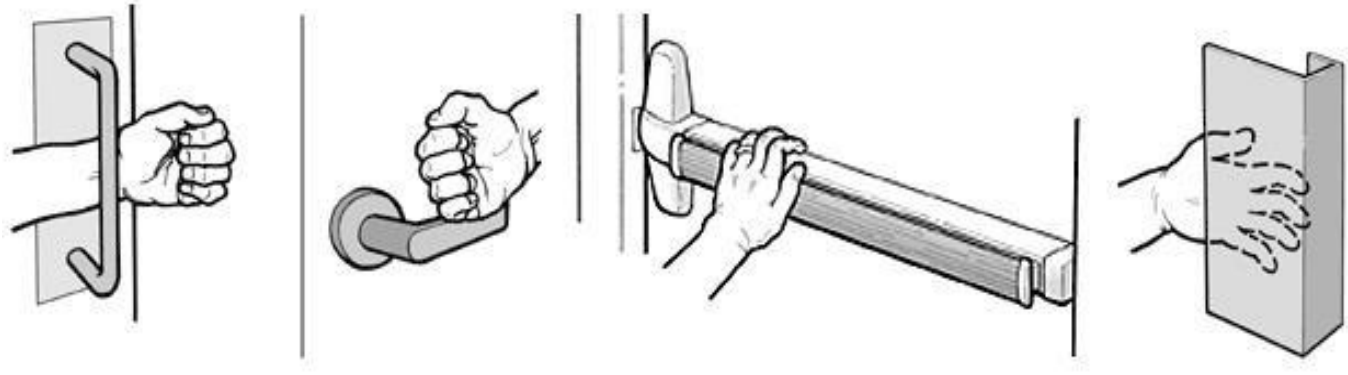
- | | | | |
|--|-----|----|-----|
| 1. Is the main entrance used as the accessible entrance? | YES | NO | |
| 2. If the answer to 1 is YES , is the main entrance clearly marked on Election Day? | YES | NO | N/A |
| 3. If the answer to 1 is NO , is there an alternative accessible location? | YES | NO | N/A |
| 4. Is there a ramp that must be used by a disabled voter to access the polling place? | YES | NO | |
| 5. If the answer to 4 is YES , please complete the following information concerning the edge protection on the ramp at the polling place (See <i>Illustration G</i> above): | | | |
| a. Is there a vertical dropoff on the ramp? | YES | NO | N/A |
| b. If the answer to 5a is YES , is there an edge protection on the ramp? | YES | NO | N/A |
| c. If the answer to 5b is NO , is there a temporary solution to providing a temporary edge protection on Election Day (<i>e.g.</i> using a concrete car bumper up against the ramp or piece of wood)? | YES | NO | N/A |
| 6. If the answer to 4 is YES , is the rise of the ramp more than 1:12 (1 inch of rise for every 12 inches of length)? | YES | NO | N/A |

- | | | | |
|---|------------|-----------|------------|
| 7. If the answer to 4 is YES , please complete the following information concerning handrails on the ramp at the polling place (See <i>Illustration G</i> above): | | | |
| a. Are there handrails? | YES | NO | N/A |
| b. If the answer to 7a is YES , are the handrails 34 to 38 inches high? | YES | NO | N/A |
| c. If the answer to 7a is YES , is the ramp width (measured between handrails) at least 36 inches? | YES | NO | N/A |
| d. If the answer to 7a is YES , is there a second handrail or edge protection on the ramp to stop a wheelchair from falling off the side? | YES | NO | N/A |
| 8. If the answer to 4 is YES , is there a level landing that is at least 60 inches by 60 inches at the top and bottom and where the ramp changes direction? (Mark N/A if the ramp does not change directions.) | YES | NO | N/A |
| 9. If <u>any</u> of the answers to 4 through 8 are NO , will a temporary ramp and/or handrails be used at the polling place on Election Day? | YES | NO | |

Accessible Doorways:

- | | | | |
|---|------------|-----------|------------|
| 10. Is the outside door opening at least 32 inches wide? (Use N/A if there is NO door.) | YES | NO | N/A |
| 11. If the answer to 10 above is NO , can temporary door hinges be used on Election Day to make the door wide enough? | YES | NO | N/A |
| 12. If the answer to 11 is NO , can the door be propped open on Election Day to make the opening wide enough? | YES | NO | N/A |
| 13. Is there a raised threshold on the exterior door? | YES | NO | |
| 14. If the answer to 13 is YES , is it less than 3/4 inches in height at the outside door and beveled on both sides? | YES | NO | N/A |
| 15. If the answer to 14 above is NO , can a temporary threshold ramp to be used on Election Day? | YES | NO | N/A |

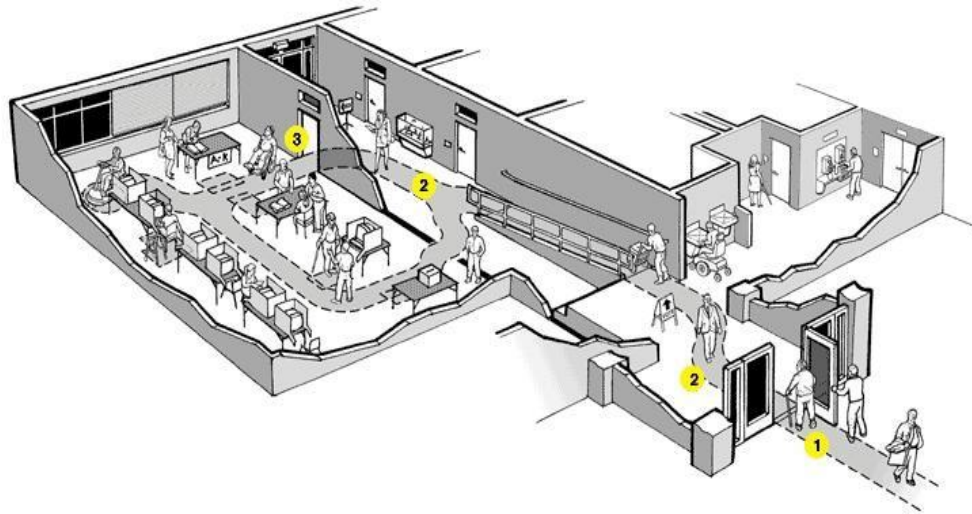
Illustration H. Examples of handles and door hardware that can be used without tight grasping, pinching, or twisting.



- | | |
|--|--------------------------|
| <p>16. Is the outside door hardware usable with one hand, without tightly grasping, pinching, or twisting of the wrist to allow people who may not be able to easily use one or both hands to fully operate the hardware? (See <i>Illustration H</i> above. Use N/A if there is no outside door hardware or if the door is propped open on Election Day, e.g. firehouse garage door)</p> | <p>YES NO N/A</p> |
| <p>17. If the answer to 16 is NO, can the outside door be propped open on Election Day to aid individuals with disabilities?</p> | <p>YES NO N/A</p> |
| <p>18. If the answer to 17 is NO, can a temporary door handle be placed on the door on Election Day?</p> | <p>YES NO N/A</p> |
| <p>19. Is the outside door able to be opened without excessive effort (less than 5 pounds of force required)? (Use N/A if there is no outside door, e.g. firehouse garage door)</p> | <p>YES NO N/A</p> |
| <p>20. If the answer to 19 is NO, can the door be propped open on Election Day to aid individuals with disabilities?</p> | <p>YES NO N/A</p> |
| <p>21. If the answer to 20 is NO, can a temporary door handle be placed on the door on Election Day?</p> | <p>YES NO N/A</p> |

INTERIOR CIRCULATION:

Illustration I. Interior of a polling place showing the accessible route from the accessible entrance to the voting area.



Notes:

- 1. Accessible entrance.
- 2. Accessible route connects the accessible entrance with the voting area.
- 3. Accessible door to the voting area.

- | | | | |
|---|------------|-----------|------------|
| 1. Is the route to the check-in table and voting systems at least 32 inches wide? | YES | NO | |
| 2. Is the interior door opening at least 32 inches wide? (Use N/A if there is NO interior door.) | YES | NO | N/A |
| 3. If the answer to 2 above is NO , can temporary door hinges be used on Election Day to make the door wide enough? | YES | NO | N/A |
| 4. If the answer to 3 is NO , can the door be propped open on Election Day to make the opening wide enough? | YES | NO | N/A |
| 5. Is there a raised threshold on the interior door? | YES | NO | |

- | | | | |
|---|------------|-----------|------------|
| 6. If the answer to 5 is YES , is it less than 3/4 inches in height at the interior door and beveled on both sides? | YES | NO | N/A |
| 7. If the answer to 6 above is NO , can a temporary threshold ramp to be used on Election Day? | YES | NO | N/A |
| 8. Is the interior door hardware usable with one hand, without tightly grasping, pinching, or twisting of the wrist to allow people who may not be able to easily use one or both hands to fully operate the hardware? (See <i>Illustration H</i> above. Use N/A if there is no interior door hardware or if the door is to be propped open on Election Day) | YES | NO | N/A |
| 9. If the answer to 8 is NO , can the interior door be propped open on Election Day to aid individuals with disabilities? | YES | NO | N/A |
| 10. If the answer to 9 is NO , can a temporary door handle be placed on the door on Election Day? | YES | NO | N/A |
| 11. Is the interior door able to be opened without excessive effort (less than 5 pounds of force required)? (Use N/A if there is no interior door.) | YES | NO | N/A |
| 12. If the answer to 11 is NO , can the door be propped open on Election Day to aid individuals with disabilities? | YES | NO | N/A |
| 13. If the answer to 12 is NO , can a temporary door handle be placed on the door on Election Day? | YES | NO | N/A |
| 14. Is there a clear path of travel – – free of any objects with bottom edges that are higher than 27 inches but less than 80 inches above the walkway and that extend more than 4 inches into the walkway? | YES | NO | |

If there are any questions, contact the Election Services Section at the Secretary of State's Office (1-800-883-2805).

I HEREBY CERTIFY THAT THE ABOVE-MENTIONED SURVEY WAS COMPLETED TO THE BEST OF MY KNOWLEDGE, AND THAT THE POLLING PLACE IS ACCESSIBLE OR WILL BE MADE TEMPORARILY ACCESSIBLE PRIOR TO THE USE OF THE POLLING PLACE FOR AN ELECTION. WHERE TEMPORARY SOLUTIONS WILL BE USED ON ELECTION DAY, I HAVE MARKED THE SURVEY.

SURVEYOR'S SIGNATURE

DATE

PRINTED NAME OF SURVEYOR:

PRINTED TITLE OF SURVEYOR:

PRINTED SURVEYOR'S EMAIL ADDRESS:

SURVEYOR'S TELEPHONE NUMBER:

PPPAS (Revised December 2016)

FOR SECRETARY OF STATE OFFICE USE ONLY:

Comments:

ERIN Initials & Date: _____



Appendix B: Polling Place Leasing Agreement

Polling Place lease may be printed from our website www.sos.la.gov. It is required to be submitted to the Secretary of State's Office; Attention Accounting, before any payments will be made.

POLLING PLACE LEASE AGREEMENT

STATE OF LOUISIANA

PARISH OF _____

THIS AGREEMENT made this _____ day of _____, 20____, by and between _____, (“OWNER/LESSOR”) and/or the agent of OWNER/LESSOR and the parish of _____, (“PARISH”) hereby agrees that OWNER/LESSOR will lease the following premises (“LEASED POLLING PLACE PREMISES”) located at _____, for use as a polling place in accordance with Title 18, section 533 of the Louisiana Revised Statutes.

1. TERM

This lease agreement is for a term commencing on _____ day _____, 20 ____ and ending on _____, 20 ____.

2. AUTOMATIC RENEWAL

This agreement shall automatically renew for a like term of one (1) year at the same rental rate, unless one of the parties to this agreement notifies the other, at least thirty (30) days prior in writing of the desire not to renew the lease agreement at least thirty (30) days prior to the expiration date of this agreement.

3. PAYMENT OF RENT

This agreement was made for and in consideration of a rental rate of \$ _____ per election in accordance of the terms of this agreement. All rental payments shall be paid to the order of _____ and be mailed to the following address:

Cancellation of any election for any reason shall not result in payment of rent therefore.

4. TERMINATION OF AGREEMENT

Either party may terminate this agreement upon thirty day (30) written notice to the other party at any time, except during the period commencing two (2) days before the date that qualifications open for an election, and this agreement shall remain in effect for all elections for which qualifying was opened.

5. LEASED POLLING PLACE PREMISES REQUIRMENTS

The LESSOR/OWNER shall give the PARISH the exclusive use of the leased premises for each election held in and involving

Ward/district/precinct _____ or any parts thereof. The PARISH is authorized to use and occupy the LEASED POLLING PLACE PREMISES on such election days. Additionally, the OWNER/LESSOR agrees that the LEASED POLLING PLACE PREMISES SHALL BE EQUIPPED WITH THE FOLLOWING:

- (i) sanitary facilities
- (ii) proper electric current, fixtures, and outlets necessary to Voting Machines and conduct the election; and
- (iii) meet the requirements for accessibility for individuals with disabilities.

6. VOTING RIGHTS ACCESSIBILITY FOR THE ELDERLY AND HANDICAPPED ACT

OWNER/LESSOR AGREES that the LEASED POLLING PLACE PREMISES shall be in full compliance with the Americans with Disabilities Act and Voting Rights Accessibility for the Elderly and Handicapped Act. In the event said LEASED POLLING PLACE PREMISES fails to be in compliance with the Americans with Disabilities Act and the Voting Rights Accessibility for the Elderly and Handicapped Act, the Parish shall immediately give written notice to the OWNER/LESSOR within seven (7) days of the noncompliance and thereafter OWNER/LESSOR will have Thirty (30) days to rectify and/or remedy those defects which cause the LEASED POLLING PLACE PREMISES to fail to be in compliance. Moreover, in the event OWNER/LESSOR fails to rectify and/or remedy those conditions within thirty (30) days of notice of noncompliance, the PARISH has the sole and exclusive right to immediately terminate this agreement.

7. LIABILITY

OWNER/LESSOR of the premises to be used by any person as a polling place on any election day shall not be liable to such person for injury to person or property which occurs on the premises while it is being used as a polling place on any election day, but does not exclude any liability which would otherwise exist for willful or malicious injury to persons or property or liability imposed on the owner, lessee, or occupant of the premises pursuant to Civil Code Articles 2317 or 2322. Nothing shall be construed to relieve any person using the premises of another as a polling place from any obligation which he may have in the absence of these provisions to exercise care in his use of such premises or from the legal consequences of failure to employ such care.

8. TRANSFERABILITY

The OWNER/LESSOR may not assign either this lease agreement and any of its rights, interest or obligations hereunder without the prior written approval of the PARISH. All terms and conditions of this lease shall be binding and enure to the benefit of and be enforceable by the respective successors and permitted assigns of the OWNER/LESSOR. Notwithstanding and foregoing, this lease shall not be sold nor the payments due or to become due hereunder assigned without the prior written consent of the other party.

9. OWNERSHIP OF THE LEASED POLLING PLACE PREMISES

The OWNER/LESSOR affirms that the LEASED POLLING PLACE PREMISES is not owned, occupied, or leased by a candidate in an election, or is a spouse of any such candidate, or an officer or employee of the state, city, or any of its political subdivisions.

10. TAXES

The OWNER/LESSOR agrees to be fully responsible for the payment of any state and/or federal taxes due under this Agreement. The federal identification number or social security number of the OWNER/LESSOR is _____.

IN WITNESS WHEREOF, the parties have executed this agreement this _____ day of _____, 20__.

WITNESSES:

PARISH OF _____

By: _____

Title: _____

WITNESSES:

OWNER/LESSOR

By: _____

Title: _____

Part II: Precincts

VIII. What is a Precinct?

- A. A precinct is defined in the Election Code as the smallest political unit of a ward having defined geographical boundaries.

IX. How is a Precinct Established?

- A. The parish governing authority of each parish shall establish precincts, define territorial limits for which each precinct is established, prescribe their boundaries, and designate the precincts.
- B. All precincts shall be adopted by ordinance.
- C. All precincts must be established within the timetable provide for by law. *See Appendix C*

X. Precinct Requirements

- A. Precinct Boundaries
 - 1. Each precinct shall be a contiguous (meaning adjoining), compact area with clearly defined and clearly observable boundaries coinciding with visible features readily distinguishable on the ground and approved extensions of such features, such as designated highways, roads, streets, rivers, or canals, and depicted on U.S. Bureau of the Census base maps for the next federal decennial census.

EXCEPTION: Where the precinct boundary is coterminous (meaning the same) with the boundary of a parish; or an incorporated place when the boundaries of a single precinct contain the entire geographic area of the incorporated place.

- 2. No precinct shall be wholly contained within the territorial boundaries of another precinct.

EXCEPTION: When a precinct which contains the entire geographical area of an incorporated place and in which the total number of registered voters at the last general election was less than 300 may be so contained.

- B. Precinct Size
 - 1. A precinct shall contain no more than 2,200 registered voters (active only) and no less than 300 registered voters (active only).

EXCEPTIONS: For precincts with under 300 active voters that are (1) geographically isolated and an unincorporated area (convenience for voters); (2) an entire geographical area of an incorporated place; (3) not allowed to merge because of voting district boundaries (but such precinct must be consolidated in the polling place with adjacent precinct in accordance to La R.S.18:425.1 and La R.S.18:1286.1.); and (4) permitted by the secretary of state under an extraordinary and unforeseen circumstance.

Note: All exceptions must be submitted to the secretary of state for approval, as outlined in following sections.

XI. Precinct Change Deadlines

- A. **Four Weeks Before the Beginning of Qualifying:** No precinct boundary change shall become effective for the election unless the information required in this Subsection (Subsection (C) of La R.S. 18:532.1) is received by the secretary of state prior to 4:30 p.m. at least four weeks prior to the date the qualifying period opens. [See La R.S. 18 532.1\(C\)\(4\).](#)
- B. **Deadline: 10th business day before qualifying:** A precinct shall not be changed, and no precinct shall be established or altered in any way, including alphabetical division by voter surname, and no annexation shall be implemented during the period commencing on the tenth (10th) business day prior to the date the qualifying period opens and ending on the date of the general election. [See La R.S. 18 532.1\(E\)\(1\).](#)
- C. **Freeze: January 1, 2019 – December 31, 2023:** No election precinct shall be created, divided, abolished, or merged, or the boundaries changed, unless ordered by a court of competent jurisdiction or an order to complete redistricting. [See La R.S. 18 532.1\(D\)\(1\)\(a\).](#)
- D. **Annual Canvass:** Within 30 days of completion of the annual canvass, the registrar of voters is required to notify the parish governing authority of every precinct in the parish which contains more than 2,200 registered active voters or contains less than 300 registered active voters. The parish governing authority is required to either merge such precincts within 60 days or receive approval from the Department of State for an exception in accordance with law. *Note: The requirements of this law are not effective from January 1, 2019 – December 31, 2023*

Note: Precinct Changes and Annexations that do not adhere to the above deadlines shall not become effective for that election.

XII. Making a Precinct Change

- A. Only the parish governing authority (police jury, parish council) has the authority to change the configuration, boundaries, or designation of an election precinct. It must be by ordinance and a certified copy of the ordinance must be sent to the secretary of state with a copy of the map showing the new precinct boundaries and designations together with a written description of such boundaries within 15 days of passage. The documents that should be provided are:
1. Certified copy of ordinance; and
 2. Copy of map showing new precinct boundaries and designations with written description of boundaries.
 3. If a local governing body utilizes a geographic information system to develop its redistricting plan, it shall submit an electronic shapefile to the secretary of state within ten (10) business days (La. R.S. 18:1945.) This would include new precinct boundaries due to annexations.
- B. Prior to adoption by ordinance, proposed changes in precinct boundaries must be submitted to the secretary of the Senate and the clerk of the House of Representatives, or their designee, on census maps and by electronic medium.

Direct submissions to:

Director of Demographic Services
Louisiana Legislature
P.O. Box 94062, Baton Rouge, LA 70804-9062
Telephone: 225.342.2591

- C. No change in a precinct boundary may be made without prior review and approval by the secretary and clerk or their designee. Review from the Legislative Appointee is to consist of determination whether proposed change coincides with visible feature depicted on a base map used by census bureau.
- D. Secretary and clerk or their designee is required to send a report of their findings within 45 days after receipt of proposed precinct changes, or the proposed changes are deemed approved.
 - 1. If a **merger** or **consolidation** is involved, prior to adoption by ordinance, the proposed merger or consolidation must be submitted to the secretary of state. Review of mergers to consist of determination whether proposed merger establishes a precinct(s) where all parts of each proposed new precinct are in same state, local, and municipal office voting district. Review of consolidations to consist of determination whether proposed consolidation joins precincts in the same legislative, public service commission, state board of elementary and secondary education, state, federal, and local governing authority voting districts.

Direct submission to:

Director of Elections Services
Louisiana Secretary of State
P.O. Box 94125
Baton Rouge, LA 70804-9125
Telephone: 225.922.0900

- 2. When two (2) or more precincts are **merged**, they lose their identity (boundaries) and are established with a new identity (boundary). When two (2) or more precincts are **consolidated**, they each retain their identity but share the polling site and election commissioners as a cost savings measure.
- 3. The secretary of state is required to send report of findings within 45 days after receipt of proposed precinct change which includes a merger, or the proposed merger is deemed approved.
- 4. Pursuant to La R.S. 18:532.1(C)(3)(b), “No precinct shall be merged until all local governing authorities and the parish or city school board within the area affected by the merger have completed redistricting and such redistricting has been precleared pursuant to the Voting Rights Act of 1965.”

Note: At the printing of this handbook Preclearance is not required as of 6/25/13, Shelby County, Alabama v. Holder, 133 S.Ct. 2612 (U.S. 2013).

EXCEPTION: The parish governing authority may merge precincts upon the parish governing authority's certifying in writing to the office of the secretary of state that the parish governing authority and all school boards have completed all redistricting that is required following the latest decennial census.

XIII. Publication of Precincts

- A. When a precinct or polling place is established or changed, notice of its location shall be published by the parish governing authority in the official journal of the parish.

XIV. Enforcement and Election Expenses

- A. The Louisiana Attorney General shall institute action to enforce the laws on establishing precincts and changing precinct boundaries.
- B. The parish governing authority is responsible for all election expenses incurred in any precinct which is not in compliance with La. R.S. 18:532(B)(4), which is a precinct with less than 300 active registered voters that does not meet an exception and has not been approved by the secretary of state. The secretary of state is required by law to seek 100% reimbursement of the costs in every election on such precincts from the parish governing authority regardless of what is on the ballot or who called the election.

**Appendix C:
Precinct/Polling
Place Timetable
Chart**

PRECINCT, ANNEXATION AND POLLING PLACE CHART

ACTION & TIMELINE	REQUIRED DOCUMENTATION FOR CHANGES and RESPONSIBILITIES OF GOVERNING AUTHORITY	Sent to Senate, House, Designee	Sent to Secretary of State
Precinct Change – Four weeks before the beginning of qualifying.	-Certified copy of ordinance for precinct change.	Documents are required to be sent to Senate, House.	Documents are required to be sent to Sec. of State.
	-Copy of map showing new precinct boundaries and designations with written description of boundaries for precincts.	Documents are required to be sent to Senate, House.	Documents are required to be sent in to Sec. of State.
	A shape file per La. R.S. 18:1945, if available.	N/A	Documents are required to be sent in to Sec. of State.

ACTION & TIMELINE	REQUIRED DOCUMENTATION FOR CHANGES and RESPONSIBILITIES OF GOVERNING AUTHORITY	Sent to Senate, House, Designee	Sent to Secretary of State
Annexation – for implementation in upcoming election by 10 th business day prior to opening of qualifying.	- Certified copy of ordinance for annexation and registrar of voters certificate and tax assessors certificate, if applicable. ¹	N/A	Documents are required to be sent to Sec. of State. ²
	-Copy of map showing new precinct boundaries and designations with written description of boundaries.	Documents are required to be sent to Senate, House.	Documents are required to be sent to Sec. of State.
	A shape file per La. R.S. 18:1945, if available.	N/A	Documents are required to be sent in to Sec. of State.

ACTION & TIMELINE	REQUIRED DOCUMENTATION FOR CHANGES and RESPONSIBILITIES OF GOVERNING AUTHORITY	Sent to Senate, House, Designee	Sent to Secretary of State
Polling Place change – prior to opening of qualifying or 46 th day before a bond, tax or prop. election (without candidates on the ballot) unless an emergency.	-Certified copy of ordinance for polling place change.	N/A	Documents are required to be sent to Sec. of State.
	-Accessibility survey for polling place.	N/A	Documents are required to be sent to Sec. of State for approval.

¹ Some exceptions apply to Home Rule Charter governments. See specific Home Rule Charter.

² Secretary of State sends a copy to IT GIS Manager, Louisiana Dept. of Transportation & Development.

PRECINCT, ANNEXATION AND POLLING PLACE CHART

ACTION & TIMELINE	REQUIRED DOCUMENTATION FOR CHANGES and RESPONSIBILITIES OF GOVERNING AUTHORITY	Sent to Senate, House, Designee	Sent to Secretary of State
EMERGENCY³ Polling Place change – after qualifying but before election day.	-Certified copy of ordinance or letter from Parish President ⁴ if no regularly scheduled meeting of the governing authority between the date of the emergency and election day ⁵	N/A	Documents are required to be sent to Sec. of State for approval
	-Accessibility survey for polling place	N/A	Documents are required to be sent to Sec. of State for approval
	Responsibility of Parish Governing Authority: - Each candidate shall be given immediate notice by telephone and certified mail of the new location; -Post a sign at former polling place directing voters to new location; -Post an employee of parish governing authority at former polling place to direct voters to new polling place. Employee required to have the same qualifications as a parish deputy custodian of voting machines and must take the constitutional oath administered by the Clerk. -If reasonable time exists, publish the change in the official journal and any other newspaper of general circulation in the precinct(s) affected, under the heading “NOTICE OF CHANGE OF POLLING PLACE”. -Take any other reasonable steps deemed necessary or desirable to inform the voters and candidates of the change in location, including but not limited to posting notices on utility poles and advertisements in electronic media.	N/A	N/A

³ Emergency includes when the polling place becomes unavailable due to an emergency caused by an act of God or when privately owned property being used as a polling place becomes unavailable through no fault of the governing authority.

⁴ “Parish President” includes president of any parish, mayor-president, mayor of New Orleans or police jury president.

⁵ An emergency polling place move by letter of the Parish President is temporary and will revert back to pre-emergency location unless the parish governing authority adopts the change by ordinance at their next meeting.

