



## **Exit Polls – Louisiana S.B. 80**

Louisiana [S.B. 80](#) would constrict who may conduct exit polling at voting places in the state.

A 2021 Louisiana law requires anyone conducting exit polls within six hundred feet of a polling place to register with the secretary of state beforehand, but that law did not define “exit poll.”

Louisiana S.B. 80 defines the term “**exit poll**” to mean “a poll by a bona fide journalist or news media organization of voters leaving a polling place to gather basic demographic information and determine how voters voted on candidates and propositions in an election. The poll shall be conducted in a nondisruptive manner.” The term excludes “polls about races, propositions, or issues not on the ballot, or dissemination of information to voters.”

### **What are exit polls?**

The typical exit poll questionnaire gathers 3 types of data: (1) who the respondent voted for in the day’s key elections in a particular jurisdiction (a state or city); (2) a variety of attitudes held by the voter; and (3) the demographic characteristics of the voter. The latter 2 sets of information can be used to explain why they voted as they did and what kinds of people voted for each candidate. These exit poll questionnaires are relatively short (typically less than 25 questions) and take less than 5 minutes to complete.

### **The problem: S.B. 80 defines “exit poll” too narrowly.**

While news media are the most high-profile entities involved in exit polling, other entities also conduct exit polls, including for academic or other research purposes. Also, news media can outsource exit polling services to other companies or nonprofits.

Most people think of election night projections on TV when they think of exit polls. However, this research is just as important for the information gathered about voters’ demographics and attitudinal predispositions towards the candidates and the campaign issues as it is for making the projections reported by news organizations on Election Night. This data provides powerful explanations, to be examined in election postmortems, for why people voted the way they did - telling us which key demographic groups voted for which candidates or which propositions and why. Finally, exit polls do something pre-election polls cannot: capture the voting intent of last-minute deciders.

This bill awaits action in the Senate Committee on Senate and Governmental Affairs.

### **The Insights Association opposes Louisiana S.B. 80 unless amended to allow for any bona fide research<sup>1</sup> professional or entity to conduct exit polls, just as it does journalists and news media organizations.**

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<sup>1</sup> The Insights Association’s working definition, if the legislature wishes to define it, is “the collection, use, maintenance, or transfer of personal information as reasonably necessary to investigate the market for or marketing of products, services, or ideas, where the information is not: (i) integrated into any product or service; (ii) otherwise used to contact any particular individual or device; or (iii) used to advertise or market to any particular individual or device.”

An alternative definition is “the collection and analysis of data regarding opinions, needs, awareness, knowledge, views, experiences and behaviors of a population, through the development and administration of surveys, interviews, focus groups, polls, observation, or other research methodologies, in which no sales, promotional or marketing efforts are involved and through which there is no attempt to influence a participant’s attitudes or behavior.”