HOUSE CC&E SUBSTITUTE FOR HB351

SYNOPSIS: Under existing law, the Governor may issue an order or other directive during a state of emergency that has the effect of suspending a state law, ordinance, rule, or regulation that conflicts with the order or other directive.

This bill would prohibit the Governor, during the six-month period before an election, from issuing a directive that would have the effect of suspending any election law in a manner that would change how the election is conducted in this state, with certain exceptions.

A BILL TO BE ENTITLED

AN ACT Relating to elections; to prohibit the Governor from issuing a directive during a state of emergency that would suspend a state law in a manner that would change how the election is conducted in this state, with certain exceptions.
BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) Except as provided under subsection (b), during the six-month period preceding any election in this state, the Governor may not issue any proclamation, order, rule, or other directive under Article 1 of Chapter 9 of Title 31, Code of Alabama 1975, if the proclamation, order, rule, or other directive would have the effect of suspending, altering, or interpreting any provision of Title 11 or Title 17, Code of Alabama 1975, in a manner that would change how that election is conducted in this state.

(b) Subsection (a) does not affect the Governor's authority to issue a proclamation, order, rule, or other directive under Article 1 of Chapter 9 of Title 31, Code of Alabama 1975, that revises the date of a primary election or primary runoff election.

Section 2. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.