HB116

213789-4

By Representative Standridge

RFD: Ways and Means General Fund

First Read: 02-FEB-21

PFD: 01/26/2021
ENROLLED, An Act,

Relating to elections; to authorize the Secretary of State to conduct a one-time post-election audit after the November 8, 2022, general election to determine the accuracy of the originally reported outcome of the election.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) This act shall be known and may be cited as the Alabama Voter Confidence Act.

(b) Notwithstanding any other law to the contrary, the Secretary of State may conduct a limited post-election audit of the November 8, 2022, statewide general election, as provided in this subsection.

(1) The post-election audit shall be conducted no earlier than November 30, 2022, and no later than January 31, 2023.

(2) Upon receiving from the county commission and judge of probate a request of a county to be added to a list of applicants, the Secretary of State may select up to three applicants to participate in the audit. To the extent possible, the three counties selected shall reflect the gender, race, and geographical areas of the state. The audit shall be conducted upon only one voting location in the county on only one statewide office selected by the Secretary of
State and on one county office in each of the three selected counties.

(3) In the three selected counties, the Secretary of State shall consult with the respective judge of probate and sheriff to select the day to conduct the audit and the county office to be audited.

(4) To begin the audit process, the Secretary of State shall file a petition with the presiding circuit judge for the county stating the specific reason for the petition and include the specific voting location and races to be audited, and shall request a protective order in addition to the relief requested. If the circuit judge grants the petition, the judge shall deliver a written order to the respective judge of probate and sheriff granting them authority to open the appropriate ballot boxes and provide any other necessary election materials in order for the audit to be conducted. The order shall include the name of the voting location and the names of the statewide office and the county office to be audited. If the circuit judge does not grant the petition, the audit shall be considered concluded.

(5) Poll workers shall be appointed to conduct the post-election audit, and appointments shall be made in the same manner as for any other election activity.

(c) All expenses incurred by any county pursuant to this section shall be reimbursed from federal funds made available for use by the Secretary of State. If no federal
funds are available, the Secretary of State shall be responsible for all costs associated with the audit.

(d) The judge of probate shall make all results from the post-election audit public by posting the results on the courthouse door at the conclusion of the audit and posting the results on the official website of the Secretary of State.

(e) The Secretary of State shall report all findings of the post-election audit to the Governor and the Legislature within 30 days of completion of the audit.

Section 2. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.
Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 09-FEB-21.

Jeff Woodard
Clerk

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