HB180

208594-1

By Representative Clarke

RFD: Constitution, Campaigns and Elections

First Read: 02-FEB-21

PFD: 01/28/2021
SYNOPSIS: Under existing law, the only way for an elector to vote before election day in this state is to vote by absentee ballot, provided the elector meets one of the excuses that allows for absentee voting.

This bill would provide a process for early voting in general and special elections, other than municipal elections.

This bill would prescribe minimum days and hours of operation of early voting centers.

This bill would allow an elector, without excuse, to cast his or her vote using a voting machine at an early voting center.

This bill would require each county commission to establish early voting center locations in the county and establish a communications plan to publish notice of early voting in the respective county.
This bill would provide that staffing, reimbursement of election expenses, and election day conduct would apply to early voting.

This bill would require the Secretary of State to adopt rules to ensure the process does not permit electors to vote more than once in any election.

A BILL

TO BE ENTITLED

AN ACT

Relating to elections; to provide a process for early voting in certain elections; to prescribe the number, location, and hours of operation of early voting centers in each county; to authorize electors to cast a vote, without excuse, by voting machine at an early voting center; to provide for the conduct of early voting; and to require the Secretary of State to adopt rules.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) This section shall apply to all general and special elections other than municipal elections.

(b) Beginning in the election cycle for the November, 2022 general election, qualified electors of this state may obtain and cast an in-person ballot in advance of election day, without excuse, at an early voting center for
all general and special elections other than municipal
elections, in accordance with this section.

(c) The early voting period shall begin the Saturday
17 days before election day and extend through the Saturday
three days before election day. Polls shall be open for early
voting for at least four continuous hours between 7:00 a.m.
and 8:00 p.m. on each weekday with at least two days during
the weekday open until 8:00 p.m., and between the hours of
10:00 a.m. and 7:00 p.m. on each Saturday during the early
voting period. The early voting election officials shall
establish hours of operation of each early voting center,
provided nothing in this subsection shall be construed to
prohibit a county commission from establishing a greater
number of hours for voting during the early voting period
beyond the number of hours required by this subsection.

(d)(1) Notwithstanding Section 17-8-1, Code of
Alabama 1975, not more than 20 nor less than 15 days before
the date that early voting begins pursuant to this section,
the appointing board of each county shall appoint necessary
early voting election officials, including at least one
inspector and three clerks at each center. During the early
voting period, election officials shall carry out the roles,
duties, and functions prescribed by law to election officials
on election day, as further provided by rules adopted by the
Secretary of State. Election officials shall be compensated
for their services as provided in Section 17-8-12, Code of
Alabama 1975.
(2) Poll watchers shall be allowed at each early
voting center as provided in Section 17-8-7, Code of Alabama
1975, or as otherwise provided by law.

(e)(1) Each county shall operate at least one early
voting center for every 100,000 residents, according to the
most recent federal decennial census. The county commission
shall determine the location of each early voting center and
the geographical area the center serves using the most recent
federal decennial census tract and block map. The boundaries
shall coincide with existing precinct boundaries. An early
voting center may be located in any branch of the county
courthouse or courthouse annex, a government building
generally accessible to the public, or a location that is used
as an election day polling place.

(2) Notwithstanding subdivision (1), for any special
election, the county commission, by majority vote, may reduce
the number of early voting centers when the commission
determines a lesser number of centers is sufficient to meet
the needs of early voters.

(f) The process for voting at an early voting center
shall be conducted in the same manner as set forth in state
law for voting in person on election day. Each early voting
center shall be equipped with at least two voting machines
with which electors may cast their ballot. Upon the daily
closing of an early voting center, the election officers shall	tabulate the ballots cast that day and secure all ballots
cast, the poll lists maintained at the location, and all other
voting materials, whether used or unused, as provided by rules adopted by the Secretary of State as necessary to comply with state law.

(g) Each county commission shall create a communication plan to inform eligible electors of the opportunity to vote early. The plan may use any media outlet, including social media and the official county website, and shall publicize the designation of voting precincts to assigned early voting centers, along with the location, date, and hours of operation of each early voting center.

(h) Nothing in this section shall prohibit an elector who received an absentee ballot by mail from bringing his or her ballot to his or her early voting center and casting his or her ballot pursuant to this section.

(i) All expenses and costs incurred to comply with this section shall be reimbursed in accordance with Article 1 of Chapter 16 of Title 17, Code of Alabama 1975.

(j) The Secretary of State shall adopt rules to implement this section. The rules shall include, but not be limited to, provisions that do all of the following:

(1) Ensure that ballots cast early, by any method allowed under state law, are counted and canvassed as if cast on election day.

(2) Ensure an efficient and fair early voting process that respects the privacy of the voter.
(3) Ensure that electors who vote during the early voting period are not permitted to vote more than once in the same 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.