HB285

208822-3

By Representative Allen

RFD: Constitution, Campaigns and Elections

First Read: 02-FEB-21
A BILL
TO BE ENTITLED
AN ACT

Relating to elections; to amend Section 17-6-4, Code of Alabama 1975, providing for voting places; to prohibit curbside voting of voting machines outside of enclosed buildings designated as voting places.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-6-4, Code of Alabama 1975, is amended to read as follows:

"§17-6-4.

(a) Except as may be provided further by local election laws or by the electronic vote counting statutes, the county governing bodies shall designate the places of holding elections in the precincts established hereunder, and, whenever the county has alphabetically divided the list of registered qualified voters of a precinct into groups, it shall designate not only the voting place but also the number of electronic voting machines at each voting place in the precinct, being sure that it designates an electronic voting machine for each group of qualified voters. The county governing body is specifically authorized to may shall provide for installing as many electronic voting machines as are
needed in each precinct, and the electronic voting machines may be installed at one designated voting place or there may be more than one voting place designated and such number of electronic voting machines installed at each place as needed to provide for the voters authorized to vote at each place. No electronic voting machine, or voting machine of any kind, shall be installed or operated except as designated for installation and operation during an election within the interior of an enclosed building designated as a voting place, pursuant to this section. No election officer or poll worker shall take a ballot into or out of any voting place, except in the performance of his or her authorized or official duties that include only the pre-election and post-election transporting of ballots to and from voting places as part of established election procedures. The county governing body shall file with the judge of probate of the county and with the board of registrars, along with a copy of its order fixing the boundaries of a precinct, the names of voting places designated for voting, indicating in those precincts in which the voters have been alphabetically divided into groups and the voting places and electronic voting machines at which each alphabetical group shall vote, and shall also post the list of voting places at the county courthouse.

"(b) The judge of probate, within five days after the county governing body of any county files with him or her the boundaries of the election precincts and the names of the voting places therein, shall give notice of the same by
publishing the same in some publication in a newspaper of
general circulation published in the county and shall have the
same posted by the sheriff at the courthouse and at two public
places in the election district of the precinct. The notice
shall describe the election precincts by their numbers and
shall specify the place therein where elections are to be
held.

"(c) Where election precincts have been subdivided
into voting districts hereunder, no voter in any election held
thereafter shall vote at any place other than the voting
district in which the voter at the time is registered as a
qualified elector. Notwithstanding the foregoing, any county,
by local law, may establish voting centers by combining voters
from two or more precincts in order to create a voting center
in order to facilitate or reduce costs for elections.

"(d) Except as may be provided further by local
election laws or by the electronic vote counting statutes
laws, whenever places of voting places are once designated and
established as required by this chapter section, the voting
places for precincts shall not be changed within three months
before an election is to be held. When the boundaries of
election precincts are changed, the county governing body
shall forthwith designate and establish at least one voting
place for every 2,400 voters in each election precinct so
created. Places of voting Voting places shall be the same for
all elections, whether primary, general, or special, or
federal, state, district, or county.
"(e) The courthouse is the voting place of holding elections in the precinct in which it is situated unless another place for that purpose is designated by the county governing body. Elections must be held at such places in the other precincts as may be designated hereafter by the county governing body."

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

Read for the first time and referred to the House of Representatives committee on Constitution, Campaigns and Elections........... ....... 02-FEB-21

Read for the second time and placed on the calendar 1 amendment ...... ....... 03-MAR-21

Read for the third time and passed as amended......................... ....... 18-MAR-21

Yeas 74, Nays 25, Abstains 1

Jeff Woodard
Clerk