

1 HB233  
2 189830-2  
3 By Representatives Holmes, Mooney, Fincher, Dismukes, Wingo,  
4 Hanes, Sorrell and Whorton  
5 RFD: Constitution, Campaigns and Elections  
6 First Read: 20-MAR-19

ENGROSSED

A BILL  
TO BE ENTITLED  
AN ACT

Relating to voter registration; to amend Section 17-4-30, Code of Alabama 1975; to revise the procedures for boards of registrars to periodically update the statewide voter registration database; and to authorize the Secretary of State to adopt rules to implement this section

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-4-30, Code of Alabama 1975, is amended to read as follows:

"§17-4-30.

"(a) Beginning in ~~January 1997~~ February 2021, and in ~~January~~ February of every fourth year thereafter, the boards of registrars shall mail a nonforwardable notice to all registered voters in the county. The notice shall be designed and provided for the boards of registrars by the Secretary of State. The notice shall be sent on a postcard providing general information on elections. The notice shall be mailed to the last known address of the voter appearing on the voter registration list. If the notice is returned to the boards of registrars indicating that the voter may have relocated, the board shall send a forwardable notice to the registered voter

1 ~~on which the voter may confirm his or her current address. The~~  
2 ~~forwardable notice shall be mailed no later than 90 days after~~  
3 ~~receipt of the returned nonforwardable notice. Secretary of~~  
4 ~~State shall use change-of-address information supplied by the~~  
5 ~~United States Postal Service or other reliable sources as~~  
6 ~~determined by the Secretary of State to identify registered~~  
7 ~~United States Postal Service, the Alabama State Law~~  
8 ~~Enforcement Agency, the state photo voter identification~~  
9 ~~database, or any other federally approved source to identify~~  
10 ~~registered voters whose addresses may have changed. Not more~~  
11 ~~than 90 days after receiving the information from the~~  
12 ~~Secretary of State a board of registrars shall proceed as~~  
13 ~~follows:~~

14 "(1) If it appears information received from the  
15 Secretary of State indicates that a registered voter has moved  
16 to a different residence address in the same board of  
17 registrars' jurisdiction in which the voter is currently  
18 registered, the board of registrars shall change the  
19 registration records to show the new address and the board of  
20 registrars or its agent shall send the voter a notice of the  
21 change by forwardable mail and a postage prepaid pre-addressed  
22 return form by which the registered voter may verify or  
23 correct the address information.

24 "(2) If it appears a registered voter has moved to a  
25 different residence address not in the same board of  
26 registrars' jurisdiction, the board of registrars or its agent  
27 shall send the voter a notice by forwardable mail that

1 includes a postage prepaid and pre-addressed return card on  
2 which the voter may verify or correct his or her current  
3 address. The notice shall state the following, depending on  
4 the circumstances:

5 "a. If the registered voter did not change his or  
6 her residence, or changed residence but remained in the  
7 registrars' jurisdiction, the voter should return the card not  
8 later than the last day to register to vote before an  
9 election.

10 "b. If the card is not returned, the voter shall be  
11 required to complete a voter registration update form before  
12 the voter is permitted to vote in an election during the  
13 period beginning on the date of the notice and ending on the  
14 day after the date of the second general election for federal  
15 office that occurs after the date of the notice; provided,  
16 however, a voter may appear at his or her new polling place on  
17 the day of an election, complete an updated voter registration  
18 form, and cast a provisional ballot, which shall be counted  
19 once the board of registrars verifies the voter's new  
20 residence and determines that the voter voted in the correct  
21 polling place and is otherwise entitled by law to vote.

22 "c. If the voter does not update his or her voter  
23 registration record and does not vote in an election during  
24 the period beginning on the date of the notice and ending on  
25 the day after the date of the second general election for  
26 federal office that occurs after the date of the notice, the

1 voter's name shall be removed from the list of eligible  
2 voters.

3 "d. If the voter has changed residence to a place  
4 outside the board of registrars' jurisdiction in which the  
5 voter is registered, information concerning how the voter can  
6 continue to be eligible to vote.

7 "(b) ~~The boards of registrars~~ A board of registrars  
8 or its agent shall record and maintain in the statewide voter  
9 registration database the dates on which ~~the nonforwardable~~ a  
10 notice provided for in subsection (a) was mailed to a  
11 registered voter and subsequently returned to the board and  
12 ~~the date on which the forwardable notice was mailed to~~ by the  
13 registered voter.

14 ~~"(b) (c)~~ (c) The boards of registrars shall update the  
15 ~~voter list for the county~~ statewide voter registration  
16 database using the information reported to the board by the  
17 registered voters on the ~~address confirmation cards~~ notices  
18 provided for in subsection (a).

19 "(d) If ~~the~~ a registered voter does not respond to  
20 ~~the forwardable notice on which the registered voter may~~  
21 ~~confirm his or her address~~ a notice provided for in  
22 subdivision (2) of subsection (a) within 90 days of the date  
23 on which the notice was mailed or if the ~~forwardable~~ notice is  
24 returned to the board of registrars as undeliverable, the  
25 ~~boards of registrars~~ board of registrars or its agent shall  
26 ~~place the name of the registered voter on the inactive list of~~  
27 ~~registered voters and in a suspense file in the office of the~~

1 ~~board. The suspense file shall contain all of the following~~  
2 ~~information: change the voter's status to "confirm" and record~~  
3 ~~in the statewide voter registration database in a manner~~  
4 ~~prescribed, by rule, by the Secretary of State that the voter~~  
5 ~~did not respond to the mailing or that the mailing was~~  
6 ~~returned as undeliverable, and the date the information was~~  
7 ~~recorded.~~

8 ~~"(1) The name of the registered voter.~~

9 ~~"(2) The last known address of the registered voter.~~

10 ~~"(3) At least the last four digits of the Social~~  
11 ~~Security number or other personal identification number of the~~  
12 ~~registered voter.~~

13 ~~"(4) The date on which the name of the registered~~  
14 ~~voter was placed in the suspense file.~~

15 ~~"(c) The name of a registered voter who does not~~  
16 ~~vote or appear to vote in one of the next two federal~~  
17 ~~elections held after his or her name is placed in the suspense~~  
18 ~~file shall be removed from the voter list.~~

19 ~~"(d)~~ (e) If a voter who receives a notice provided  
20 for in subdivision (2) of subsection (a) votes in an election  
21 during the period beginning on the date of the notice and  
22 ending on the day after the date of the second general  
23 election for federal office that occurs after the date of the  
24 notice, or updates his or her voter registration record, the  
25 voter will be reinstated to a status of "active." If a voter  
26 who receives a notice provided for in subdivision (2) of  
27 subsection (a) does not update his or her voter registration

1 record and does not vote in an election during the period  
2 beginning on the date of the notice and ending on the day  
3 after the date of the second general election for federal  
4 office that occurs after the date of the notice, the voter's  
5 name will be removed from the list of eligible voters. The  
6 names of persons to be removed from the list of registered  
7 voters pursuant to this section shall be published in  
8 accordance with Section 17-4-10.

9 "(f) The Secretary of State may adopt rules to  
10 implement this section in accordance with federal election  
11 laws."

12 Section 2. This act shall become February 1, 2021,  
13 following its passage and approval by the Governor, or its  
14 otherwise becoming law.

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Constitution,  
Campaigns and Elections..... 20-MAR-19

Read for the second time and placed  
on the calendar..... 11-APR-19

Read for the third time and passed  
as amended..... 23-APR-19

Yeas 70, Nays 26, Abstains 1

Jeff Woodard  
Clerk