

1 HB233  
2 189830-1  
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

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8 SYNOPSIS: Under existing law, the boards of registrars  
9 periodically mail a notice to all registered voters  
10 seeking address confirmation. If a voter does not  
11 return the address confirmation card, the board of  
12 registrars places the voter on the inactive list of  
13 registered voters.

14 This bill would revise the procedures for  
15 boards of registrars to periodically update the  
16 statewide voter registration database, and would  
17 authorize the Secretary of State to adopt rules to  
18 implement this section.

19  
20 A BILL  
21 TO BE ENTITLED  
22 AN ACT  
23

24 Relating to voter registration; to amend Section  
25 17-4-30, Code of Alabama 1975; to revise the procedures for  
26 boards of registrars to periodically update the statewide

1 voter registration database; and to authorize the Secretary of  
2 State to adopt rules to implement this section

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

6 "§17-4-30.

7 "(a) Beginning in ~~January 1997~~ February 2021, and in  
8 ~~January~~ February of every fourth year thereafter, the ~~boards~~  
9 ~~of registrars shall mail a nonforwardable notice to all~~  
10 ~~registered voters in the county. The notice shall be designed~~  
11 ~~and provided for the boards of registrars by the Secretary of~~  
12 ~~State. The notice shall be sent on a postcard providing~~  
13 ~~general information on elections. The notice shall be mailed~~  
14 ~~to the last known address of the voter appearing on the voter~~  
15 ~~registration list. If the notice is returned to the boards of~~  
16 ~~registrars indicating that the voter may have relocated, the~~  
17 ~~board shall send a forwardable notice to the registered voter~~  
18 ~~on which the voter may confirm his or her current address. The~~  
19 ~~forwardable notice shall be mailed no later than 90 days after~~  
20 ~~receipt of the returned nonforwardable notice. Secretary of~~  
21 State shall use change-of-address information supplied by the  
22 United States Postal Service or other reliable sources as  
23 determined by the Secretary of State to identify registered  
24 voters whose addresses may have changed. Not more than 90 days  
25 after receiving the information from the Secretary of State a  
26 board of registrars shall proceed as follows:

1           "(1) If it appears a registered voter has moved to a  
2           different residence address in the same board of registrars'  
3           jurisdiction in which the voter is currently registered, the  
4           board of registrars shall change the registration records to  
5           show the new address and the board of registrars or its agent  
6           shall send the voter a notice of the change by forwardable  
7           mail and a postage prepaid pre-addressed return form by which  
8           the registered voter may verify or correct the address  
9           information.

10           "(2) If it appears a registered voter has moved to a  
11           different residence address not in the same board of  
12           registrars' jurisdiction, the board of registrars or its agent  
13           shall send the voter a notice by forwardable mail that  
14           includes a postage prepaid and pre-addressed return card on  
15           which the voter may verify or correct his or her current  
16           address. The notice shall state the following, depending on  
17           the circumstances:

18           "a. If the registered voter did not change his or  
19           her residence, or changed residence but remained in the  
20           registrars' jurisdiction, the voter should return the card not  
21           later than the last day to register to vote before an  
22           election.

23           "b. If the card is not returned, the voter shall be  
24           required to complete a voter registration update form before  
25           the voter is permitted to vote in an election during the  
26           period beginning on the date of the notice and ending on the

1 day after the date of the second general election for federal  
2 office that occurs after the date of the notice.

3 "c. If the voter does not update his or her voter  
4 registration record and does not vote in an election during  
5 the period beginning on the date of the notice and ending on  
6 the day after the date of the second general election for  
7 federal office that occurs after the date of the notice, the  
8 voter's name shall be removed from the list of eligible  
9 voters.

10 "d. If the voter has changed residence to a place  
11 outside the board of registrars' jurisdiction in which the  
12 voter is registered, information concerning how the voter can  
13 continue to be eligible to vote.

14 "~~(b)~~ ~~The boards of registrars~~ A board of registrars  
15 or its agent shall record and maintain in the statewide voter  
16 registration database the dates on which ~~the nonforwardable a~~  
17 notice provided for in subsection (a) was mailed to a  
18 registered voter and subsequently returned to the board and  
19 ~~the date on which the forwardable notice was mailed to by the~~  
20 registered voter.

21 "~~(b)~~ (c) The boards of registrars shall update the  
22 ~~voter list for the county~~ statewide voter registration  
23 database using the information reported to the board by the  
24 registered voters on the ~~address confirmation cards~~ notices  
25 provided for in subsection (a).

26 "(d) If ~~the~~ a registered voter does not respond to  
27 ~~the forwardable notice on which the registered voter may~~

1 ~~confirm his or her address~~ a notice provided for in  
2 subdivision (2) of subsection (a) within 90 days of the date  
3 on which the notice was mailed or if the ~~forwardable~~ notice is  
4 returned to the board of registrars as undeliverable, the  
5 ~~boards of registrars~~ board of registrars or its agent shall  
6 ~~place the name of the registered voter on the inactive list of~~  
7 ~~registered voters and in a suspense file in the office of the~~  
8 ~~board. The suspense file shall contain all of the following~~  
9 ~~information:~~ change the voter's status to "confirm" and record  
10 in the statewide voter registration database in a manner  
11 prescribed, by rule, by the Secretary of State that the voter  
12 did not respond to the mailing or that the mailing was  
13 returned as undeliverable, and the date the information was  
14 recorded.

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

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

17 ~~"(3) At least the last four digits of the Social~~  
18 ~~Security number or other personal identification number of the~~  
19 ~~registered voter.~~

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

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

26 ~~"(d)~~ (e) If a voter who receives a notice provided  
27 for in subdivision (2) of subsection (a) votes in an election

1 during the period beginning on the date of the notice and  
2 ending on the day after the date of the second general  
3 election for federal office that occurs after the date of the  
4 notice, or updates his or her voter registration record, the  
5 voter will be reinstated to a status of "active." If a voter  
6 who receives a notice provided for in subdivision (2) of  
7 subsection (a) does not update his or her voter registration  
8 record and does not vote in an election during the period  
9 beginning on the date of the notice and ending on the day  
10 after the date of the second general election for federal  
11 office that occurs after the date of the notice, the voter's  
12 name will be removed from the list of eligible voters. The  
13 names of persons to be removed from the list of registered  
14 voters pursuant to this section shall be published in  
15 accordance with Section 17-4-10.

16 "(f) The Secretary of State may adopt rules to  
17 implement this section."

18 Section 2. This act shall become February 1, 2021,  
19 following its passage and approval by the Governor, or its  
20 otherwise becoming law.