

HOUSE BILL NO. 37

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE SCHRAGE

Introduced: 1/13/23

Referred: Prefiled

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to elections; relating to voters; relating to the crime of unlawful**
2 **interference with voting; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 15.05.010 is amended to read:

5 **Sec. 15.05.010. Voter qualification.** A person may vote at any election who

6 (1) is a citizen of the United States;

7 (2) is 18 years of age or older;

8 (3) has been a resident of the state and of the house district in which
9 the person seeks to vote for at least 30 days just before the election; and

10 (4) has registered [BEFORE THE ELECTION] as required under
11 AS 15.07 and is not registered to vote in another jurisdiction.

12 *** Sec. 2.** AS 15.07.060(a) is amended to read:

13 (a) Each applicant who requests registration or reregistration shall supply the
14 following information:

- 1 (1) the applicant's name and sex;
- 2 (2) if issued, the applicant's State of Alaska driver's license number or
3 State of Alaska identification card number, or the last four digits of the applicant's
4 social security number;
- 5 (3) the applicant's date of birth;
- 6 (4) the applicant's Alaska residence address;
- 7 (5) a statement of whether the applicant has previously been registered
8 to vote in another jurisdiction, and, if so, the jurisdiction and the address of the
9 previous registration;
- 10 (6) a declaration that the applicant will be 18 years of age or older
11 within 90 days after the date of registration;
- 12 (7) a declaration that the applicant is a citizen of the United States;
- 13 (8) the date of application;
- 14 (9) the applicant's signature or mark, **or an electronic image of the**
15 **applicant's signature submitted in the format and according to the process**
16 **specified by the division in regulation**;
- 17 (10) any former name under which the applicant was registered to vote
18 in the state;
- 19 (11) an attestation that the information provided by the applicant in (1)
20 - (10) of this subsection is true; [AND]
- 21 (12) a certification that the applicant understands that a false statement
22 on the application may make the applicant subject to prosecution [FOR A
23 MISDEMEANOR] under this title or **for perjury under AS 11; and**
- 24 **(13) an acknowledgment of understanding by the applicant that, if**
25 **the applicant is registered to vote in another jurisdiction, the director will notify**
26 **the chief elections officer of that jurisdiction that the applicant has registered to**
27 **vote in this state and request the applicant's voter registration be canceled in that**
28 **jurisdiction.**

29 * **Sec. 3.** AS 15.07.060 is amended by adding new subsections to read:

- 30 (g) The division shall provide an applicant the opportunity to designate, from
31 among the written languages in which the division is required to print election

1 materials under 52 U.S.C. 10503, as amended, the language in which the applicant
 2 prefers to receive ballots and other election materials printed for an election. The
 3 division shall provide the applicant with ballots and election materials in the
 4 applicant's designated language unless the applicant designates a language in which
 5 the division is not required to print ballots and election materials. The division shall
 6 notify an applicant when ballots and election materials printed in the designated
 7 language are not available and allow the applicant another opportunity to designate a
 8 language under this subsection. The division shall provide an applicant with ballots
 9 and election materials in the designated language until the earlier of the date that

10 (1) the applicant's voter registration is inactivated or cancelled; or

11 (2) the division is no longer required under 52 U.S.C. 10503, as
 12 amended, to print ballots and election materials in the designated language.

13 (h) An applicant who requests registration within 30 days before an election in
 14 which the applicant desires to vote shall provide

15 (1) an affidavit, signed under penalty of perjury and witnessed by an
 16 election official, stating whether the applicant established residency at least 30 days
 17 before the date of the election in

18 (A) the state; and

19 (B) the house district in which the applicant seeks to vote at the
 20 election; and

21 (2) a physical or electronic copy of

22 (A) identification issued by the federal government, the state, a
 23 municipality, a tribal government, or a secondary or postsecondary school that
 24 displays the applicant's Alaska residence address; or

25 (B) a utility bill, bank statement, paycheck, government check,
 26 or other government document dated not more than 60 days before the
 27 registration or reregistration and displaying the applicant's name and Alaska
 28 residence address.

29 * **Sec. 4.** AS 15.07.070(c) is amended to read:

30 (c) The names of persons submitting completed registration forms by mail that
 31 are postmarked at least 30 days before the next election, or submitting completed

1 registration forms by facsimile or other electronic transmission approved by the
 2 director under AS 15.07.050 that are received at least 30 days before the next election,
 3 shall be placed on the official registration list for that election. If a registration form
 4 received by mail less than 30 days before an election does not have a legible and dated
 5 postmark, the name of the person submitting the form shall be placed on the official
 6 registration list for that election if the form was signed and dated by the person at least
 7 30 days before the election and if the form is received by the director or election
 8 supervisor at least 25 days before the election. The name of a person submitting a
 9 completed registration form by mail or by facsimile or other electronic transmission
 10 that does not meet the applicable requirements of this subsection may not be placed on
 11 the official registration list for that election but shall be placed on the master register
 12 after that election. **A person submitting a completed registration form that does**
 13 **not meet the requirements of this subsection for placement on the master register**
 14 **for the next election but who complies with AS 15.07.060(h) may vote an absentee**
 15 **in-person, special needs, or questioned ballot at that election.**

16 * **Sec. 5.** AS 15.07.070(d) is amended to read:

17 (d) Qualified voters may register in person before a registration official or
 18 through a voter registration agency at any time throughout the year. **A qualified voter**
 19 **who registers** [, EXCEPT THAT A PERSON REGISTERING] within 30 days **before**
 20 **or on the day of an election may vote only an absentee in-person, special needs, or**
 21 **questioned ballot** [PRECEDING AN ELECTION IS NOT ELIGIBLE TO VOTE] at
 22 that election. **The division may not reject the absentee in-person, special needs, or**
 23 **questioned ballot of a qualified voter who registers within 30 days before or on**
 24 **the day of an election on the grounds that the voter is not on the official**
 25 **registration list for the election.** Upon receipt and approval of the registration forms,
 26 the director or the election supervisor shall forward to the voter an acknowledgment in
 27 the form of a registration card, and the voter's name shall immediately be placed on
 28 the master register. Names of persons registering 30 or more days before an election
 29 shall be placed on the official registration list for that election.

30 * **Sec. 6.** AS 15.07.070(h) is amended to read:

31 (h) The director shall design the form of the voter's certificate appearing on

1 the envelope that is used for voting an absentee in-person, special needs, or
 2 questioned ballot so that all information required for registration by AS 15.07.060(a)
 3 may be obtained from a voter who votes an absentee in-person, special needs, or
 4 questioned ballot. The form must include the instruction that a person registering
 5 to vote using the voter's certificate who wishes to declare the person's affiliation
 6 should complete the affiliation section on the certificate. If the voter voting an
 7 absentee in-person, special needs, or questioned ballot has completed all information
 8 on the voter registration portion of the absentee in-person, special needs, or
 9 questioned ballot voter's certificate, the director shall place the name of the voter on
 10 the official registration list.

11 * **Sec. 7.** AS 15.07.090(b) is amended to read:

12 (b) A voter shall reregister if the voter's registration is cancelled as provided in
 13 AS 15.07.130. A person reregistering under this subsection may vote only an
 14 absentee in-person, special needs, or questioned ballot until [THE
 15 REREGISTRATION IS EFFECTIVE FOR] the next election that occurs at least 30
 16 days after the date of reregistration. The division may not reject the absentee in-
 17 person, special needs, or questioned ballot of a qualified voter who reregisters
 18 within 30 days before or on the day of an election on the grounds that the voter is
 19 not on the official registration list for the election.

20 * **Sec. 8.** AS 15.07.090(c) is amended to read:

21 (c) The director shall transfer the registration of a voter from one precinct to
 22 another within a house district when requested by the voter. If a [THE] request is
 23 [SHALL BE] made within 30 [OR MORE] days before [THE] election day or on
 24 election day, a person transferring registration to a new precinct may vote only
 25 an absentee in-person, special needs, or questioned ballot. The division may not
 26 reject the absentee in-person, special needs, or questioned ballot of a qualified
 27 voter who transfers registration within 30 days before or on the day of an election
 28 on the grounds that the voter is not on the official registration list for the election.
 29 The director shall transfer the registration of a voter from one house district to another
 30 when requested by the voter. The voter must reside in the new house district for at
 31 least 30 days in order to vote a ballot for that district.

1 * **Sec. 9.** AS 15.07.090(d) is amended to read:

2 (d) A person who claims to be a registered voter, but for whom no evidence of
 3 registration in the precinct can be found, **may vote only an absentee in-person,**
 4 **special needs, or questioned ballot. The division may not reject the absentee in-**
 5 **person, special needs, or questioned ballot of a qualified voter who registers**
 6 **within 30 days before or on the day of an election on the grounds that the voter is**
 7 **not on the official registration list for the election** [SHALL BE GRANTED THE
 8 RIGHT TO VOTE IN THE SAME MANNER AS THAT OF A QUESTIONED
 9 VOTER AND THE BALLOT SHALL BE TREATED IN THE SAME MANNER.
 10 THE BALLOT SHALL BE CONSIDERED TO BE A "QUESTIONED BALLOT"
 11 AND SHALL BE SO DESIGNATED. THE DIRECTOR OR THE DIRECTOR'S
 12 REPRESENTATIVE SHALL DETERMINE WHETHER THE VOTER IS
 13 REGISTERED IN THE HOUSE DISTRICT BEFORE COUNTING THE BALLOT.
 14 A VOTER WHO HAS FAILED TO OBTAIN A TRANSFER AS PROVIDED IN (c)
 15 OF THIS SECTION SHALL VOTE A "QUESTIONED BALLOT" IN THE
 16 PRECINCT IN WHICH THE VOTER RESIDES].

17 * **Sec. 10.** AS 15.07.130(e) is amended to read:

18 (e) For purposes of (b) and (d) of this section, a voter "appears to vote" if

19 (1) the voter is present at a polling place or at an **early** [ABSENTEE]
 20 voting station **designated under AS 15.20.045(b)** at a time when the polling place or
 21 **early** [ABSENTEE] voting station is operating, for the purpose of casting a vote;

22 (2) the voter applies to the division to obtain an absentee ballot; or

23 (3) in an election conducted by mail under AS 15.20.800, a voter who
 24 has not received a ballot by mail makes a timely request to the division for a ballot.

25 * **Sec. 11.** AS 15.10.090 is amended to read:

26 **Sec. 15.10.090. Notice of precinct boundary or polling place designation**
 27 **and modification.** The director shall give full public notice if a precinct is established
 28 or abolished, if the boundaries of a precinct are designated, abolished, or modified, or
 29 if the location of a polling place is changed. Public notice must include

30 (1) whenever possible, sending **two** written **notices** [NOTICE] of the
 31 change to each affected registered voter in the precinct;

- 1 (2) providing notice of the change
 2 (A) by publication once in a local newspaper of general
 3 circulation in the precinct; or
 4 (B) if there is not a local newspaper of general circulation in
 5 the precinct, by posting written notice in three conspicuous places as close to
 6 the precinct as possible; at least one posting location must be in the precinct;
 7 (3) posting notice of the change on the Internet website of the division
 8 of elections;
 9 (4) providing notification of the change to the appropriate municipal
 10 clerks, community councils, tribal groups, Native villages, and village regional
 11 corporations established under 43 U.S.C. 1606 (Alaska Native Claims Settlement
 12 Act); and
 13 (5) inclusion in the official election pamphlet.

14 * **Sec. 12.** AS 15.10.170(a) is amended to read:

15 (a) The precinct party committee, where an organized precinct committee
 16 exists, or the party district committee where no organized precinct committee exists,
 17 or the state party chairperson where neither a precinct nor a party district committee
 18 exists, may appoint one or more [PERSONS AS] watchers in each precinct and
 19 counting center for any election. A [EACH] candidate may appoint one or more
 20 watchers for each precinct or counting center in the candidate's respective district or
 21 the state for any election. An [ANY] organization or organized group that sponsors or
 22 opposes a ballot proposition [AN INITIATIVE, REFERENDUM,] or recall may
 23 have one or more [PERSONS AS] watchers at the polls and counting centers after first
 24 obtaining authorization from the director. A state party chairperson, a precinct party
 25 committee, a party district committee, or a candidate may not have more than one
 26 watcher on duty at a time in any precinct or counting center. A watcher must be a
 27 United States citizen. The watcher may be present at a position inside the place of
 28 voting or counting that affords a full view of all action of the election officials taken
 29 from the time the polls are opened until the ballots are finally counted and the results
 30 certified by the election board or the data processing review board. The election board
 31 or the data processing review board may require each watcher to present written proof

1 showing appointment by the precinct party committee, the party district committee,
 2 the organization or organized group, or the candidate the watcher represents **and that**
 3 **is signed by the respective chairperson of the precinct party committee, party**
 4 **district committee, state party chairperson, organization or organized group, or**
 5 **candidate.**

6 * **Sec. 13.** AS 15.15.060 is amended by adding a new subsection to read:

7 (f) At each polling place, the division shall provide language assistance as
 8 required under 52 U.S.C. 10503 in a manner that enables each voter to participate
 9 effectively in the electoral process. An election supervisor shall post at each polling
 10 place information regarding the availability of language assistance in English and all
 11 other languages for which language assistance is required to be provided in the
 12 jurisdiction under federal law.

13 * **Sec. 14.** AS 15.15.170 is amended to read:

14 **Sec. 15.15.170. Prohibition of political persuasion near election polls. (a)**

15 During the hours the polls are open, a person who is in the polling place or within 200
 16 feet of any entrance to the polling place may not

17 (1) attempt to persuade a person to vote for or against a candidate,
 18 proposition, or question; **or**

19 (2) **physically display a photo, video, or other image of the person's**
 20 **or another person's marked ballot in an attempt to persuade a person to vote for**
 21 **or against a candidate, proposition, or question.**

22 (b) The election officials shall post warning notices at the required distance in
 23 the form and manner prescribed by the director.

24 * **Sec. 15.** AS 15.15.280 is amended to read:

25 **Sec. 15.15.280. Prohibiting the exhibition of marked ballots. A** [SUBJECT
 26 TO AS 15.15.240 A] voter may not exhibit the voter's ballot to an election official or
 27 any other person so as to enable any person to ascertain how the voter marked the
 28 ballot.

29 * **Sec. 16.** AS 15.15.280 is amended by adding a new subsection to read:

30 (b) This section does not apply to a voter who

31 (1) requests assistance under AS 15.15.240; or

1 (2) subject to the prohibition on political persuasion in, or within 200
 2 feet of an entrance to, a polling place under AS 15.15.170, shares a photo, video, or
 3 other image of the voter's marked ballot with another person or with the public.

4 * **Sec. 17.** AS 15.15.370 is amended to read:

5 **Sec. 15.15.370. Completion of ballot count; certificate.** When the count of
 6 ballots is completed, and in no event later than the day after the election, the election
 7 board shall make a certificate in duplicate of the results. The certificate includes the
 8 number of votes cast for each candidate, including, for a candidate in a general
 9 election, the number of votes at each round of the ranked-choice tabulation process
 10 under AS 15.15.350, the number of votes for and against each proposition, yes or no
 11 on each question, and any additional information prescribed by the director. The
 12 election board shall, immediately upon completion of the certificate or as soon
 13 thereafter as the local mail service permits, send in one sealed package to the director
 14 one copy of the certificate and the register. In addition, all ballots properly cast shall
 15 be mailed to the director in a separate, sealed package. Both packages, in addition to
 16 an address on the outside, shall clearly indicate the precinct from which they come.
 17 Each board shall, immediately upon completion of the certification and as soon
 18 thereafter as the local mail service permits, send the duplicate certificate to the
 19 respective election supervisor. The director may authorize election boards in precincts
 20 in those areas of the state where distance and weather make mail communication
 21 unreliable to forward their election results by telephone or radio. The director may
 22 authorize the unofficial totaling of votes on a regional basis by election supervisors,
 23 tallying the votes as indicated on duplicate certificates. **If the director publishes**
 24 **unofficial results, the director shall include, for each candidate, the subsequent**
 25 **candidate rankings selected by the voters who ranked that candidate as the**
 26 **voters' first choice.** To ensure adequate protection, the director shall prescribe the
 27 manner in which the ballots, registers, and all other election records and materials are
 28 thereafter preserved, transferred, and destroyed.

29 * **Sec. 18.** AS 15.15.430(a) is amended to read:

30 (a) The review of ballot counting by the director shall include only

31 (1) a review of the precinct registers, tallies, and ballots cast;

1 (2) a review of absentee and questioned ballots as prescribed by law;
2 and

3 (3) unless the ballot for the house district contains nothing but
4 uncontested offices, a hand count of ballots from one randomly selected precinct in
5 each house district that

6 (A) accounts for at least five percent of the ballots cast in that
7 district; and

8 (B) shows voters' rankings for each candidate on the ballot.

9 * **Sec. 19.** AS 15.20.020 is amended to read:

10 **Sec. 15.20.020. Provision for general administrative supervision.** The
11 director shall provide general administrative supervision over the conduct of absentee
12 voting. The director shall make available instructions to absentee voters regarding the
13 procedure for absentee voting and use of the online system for tracking absentee
14 ballots established under AS 15.20.221.

15 * **Sec. 20.** AS 15.20.030 is amended to read:

16 **Sec. 15.20.030. Preparation of ballots, envelopes, and other material.** The
17 director shall provide ballots for use as absentee ballots in all districts. The director
18 shall provide a secrecy sleeve in which the voter shall initially place the marked ballot,
19 and shall provide a postage-paid return [AN] envelope with the prescribed voter's
20 certificate on it, in which the secrecy sleeve with ballot enclosed shall be placed. The
21 director shall prescribe the form of and prepare the voter's certificate, envelopes, and
22 other material used in absentee voting. The voter's certificate shall include a
23 declaration, for use when required, that the voter is a qualified voter in all respects, a
24 blank for the voter's signature, and a space for recording the date that the voter
25 signed the certificate. An envelope may not identify a voter's party affiliation [, A
26 CERTIFICATION THAT THE AFFIANT PROPERLY EXECUTED THE
27 MARKING OF THE BALLOT AND GAVE THE VOTER'S IDENTITY, BLANKS
28 FOR THE ATTESTING OFFICIAL OR WITNESS, AND A PLACE FOR
29 RECORDING THE DATE THE ENVELOPE WAS SEALED AND WITNESSED].
30 The envelope with the voter's certificate must include a notice that false statements
31 made by the voter [OR BY THE ATTESTING OFFICIAL OR WITNESS] on the

1 certificate are punishable by law.

2 * **Sec. 21.** AS 15.20.045(b) is amended to read:

3 (b) The director may designate by regulation [ADOPTED UNDER AS 44.62
4 (ADMINISTRATIVE PROCEDURE ACT)] locations at which **early** [ABSENTEE]
5 voting stations will be operated **for persons to vote absentee ballots** on or after the
6 15th day before an election up to and including the date of the election. The director
7 shall supply **these** [ABSENTEE] voting stations with **absentee** ballots for all house
8 districts in the state and shall designate absentee voting officials to serve at **the**
9 [ABSENTEE] voting stations. **A designation as an early voting station under this**
10 **subsection remains in effect unless**

11 **(1) the location is no longer available for use as an early voting**
12 **station; or**

13 **(2) the director determines that the location is no longer**
14 **appropriate for use as an early voting station and makes that determination**
15 **available to the public in writing.**

16 * **Sec. 22.** AS 15.20.045(c) is amended to read:

17 (c) In a municipality in which the division will not be operating an **early**
18 [ABSENTEE] voting station **under this section**, the director may designate the
19 municipal clerk as an absentee voting official for the limited purpose of distributing
20 absentee ballots to qualified voters under AS 15.20.061(a)(1) and qualified voters'
21 representatives under AS 15.20.072. At least 15 days before the election, the director
22 shall supply municipal clerks designated under this subsection with absentee ballots.

23 * **Sec. 23.** AS 15.20.045 is amended by adding a new subsection to read:

24 (d) The director shall appoint one or more registration officials to serve in
25 each early voting station in all elections during the hours the early voting stations are
26 open. An election official appointed under AS 15.10 may also serve as a registration
27 official.

28 * **Sec. 24.** AS 15.20.050 is amended to read:

29 **Sec. 15.20.050. Requirement of full public notice.** The director shall give full
30 public notice of the dates and manner of voting absentee and may select any means of
31 communication permitted to be used in giving notice of the date and time of the

1 general election. The director shall give notice under this section of the location of
 2 **early** [ABSENTEE] voting stations **designated under AS 15.20.045(b)** at least 45
 3 days before each election.

4 * **Sec. 25.** AS 15.20.061(a) is amended to read:

5 (a) A qualified voter may apply in person for an absentee ballot to the
 6 following election officials at the times specified:

7 (1) to an absentee voting official on or after the 15th day before an
 8 election up to and including the date of the election;

9 (2) to an election supervisor on or after the 15th day before an election
 10 up to and including the date of the election;

11 (3) to an absentee voting official at an **early** [ABSENTEE] voting
 12 station designated under AS 15.20.045(b) on or after the 15th day before an election
 13 up to and including the date of the election;

14 (4) to an absentee voting official in the precinct in which no volunteers
 15 can be located to serve on the election board on or after the 15th day before an election
 16 up to and including election day.

17 * **Sec. 26.** AS 15.20.064(b) is amended to read:

18 (b) The election supervisor or other election official shall issue a ballot to the
 19 voter upon

20 (1) exhibition of proof of identification as required in AS 15.15.225;

21 (2) verification that the voter's residence address appearing on the
 22 official registration list **for that election** is current; and

23 (3) the voter's signing the early voting register.

24 * **Sec. 27.** AS 15.20.064 is amended by adding a new subsection to read:

25 (e) If a voter fails to satisfy the requirements of (b) of this section, the voter
 26 shall be allowed to vote an absentee ballot in the manner provided in AS 15.20.061.

27 * **Sec. 28.** AS 15.20.072(b) is amended to read:

28 (b) The voter may, through a representative, request a special needs ballot
 29 from the following election officials at the times specified:

30 (1) from an absentee voting official on or after the 15th day before an
 31 election, up to and including election day;

1 (2) from an election supervisor on or after the 15th day before an
2 election up to and including election day;

3 (3) from an absentee voting official at an **early** [ABSENTEE] voting
4 station designated under AS 15.20.045(b) on or after the 15th day before an election
5 up to and including the date of the election; or

6 (4) from a member of the precinct election board on election day.

7 * **Sec. 29.** AS 15.20.081(b) is amended to read:

8 (b) An application requesting delivery of an absentee ballot to the applicant by
9 mail must be received by the division of elections not less than 10 days before the
10 election for which the absentee ballot is sought. An application for an absentee ballot
11 for a state election from a qualified voter requesting delivery of an absentee ballot to
12 the applicant by electronic transmission must be received by the division of elections
13 not later than 5:00 p.m. Alaska time on the day before the election for which the
14 absentee ballot is sought. An absentee ballot application submitted by mail under this
15 section must permit the person to register to vote under AS 15.07.070, **to declare an**
16 **affiliation under AS 15.07.075, if any,** and to request an absentee ballot for each state
17 election held within that calendar year for which the voter is eligible to vote. An
18 absentee ballot application submitted by electronic transmission under this section
19 **must** [MAY NOT] include a provision that permits a person to register to vote under
20 AS 15.07.070.

21 * **Sec. 30.** AS 15.20.081(d) is amended to read:

22 (d) Upon receipt of an absentee ballot by mail, the voter [, IN THE
23 PRESENCE OF A NOTARY PUBLIC, COMMISSIONED OFFICER OF THE
24 ARMED FORCES INCLUDING THE NATIONAL GUARD, DISTRICT JUDGE
25 OR MAGISTRATE, UNITED STATES POSTAL OFFICIAL, REGISTRATION
26 OFFICIAL, OR OTHER PERSON QUALIFIED TO ADMINISTER OATHS,] may
27 proceed to mark the ballot in secret, to place the ballot in the secrecy sleeve, to place
28 the secrecy sleeve in the envelope provided, and to sign the voter's certificate on the
29 envelope. **The** [IN THE PRESENCE OF AN OFFICIAL LISTED IN THIS
30 SUBSECTION WHO SHALL SIGN AS ATTESTING OFFICIAL AND SHALL
31 DATE THE SIGNATURE. IF NONE OF THE OFFICIALS LISTED IN THIS

1 SUBSECTION IS REASONABLY ACCESSIBLE, AN ABSENTEE VOTER
 2 SHALL SIGN THE VOTER'S CERTIFICATE IN THE PRESENCE OF AN
 3 INDIVIDUAL WHO IS 18 YEARS OF AGE OR OLDER, WHO SHALL SIGN AS
 4 A WITNESS AND ATTEST TO THE DATE ON WHICH THE VOTER SIGNED
 5 THE CERTIFICATE IN THE INDIVIDUAL'S PRESENCE, AND, IN ADDITION,
 6 THE] voter shall certify, as prescribed in AS 09.63.020, under penalty of perjury, that
 7 the statements in the voter's certification are true.

8 * **Sec. 31.** AS 15.20.081 is amended by adding new subsections to read:

9 (m) An absentee ballot application must include an option for a qualified voter
 10 to choose to receive absentee ballots by mail for future regularly scheduled state
 11 elections. The division may not require a voter who chooses this option to reapply for
 12 an absentee ballot by mail unless

13 (1) the voter has not voted an absentee ballot for a period of four years;

14 or

15 (2) the voter's previous absentee ballot sent under this section was
 16 returned to the division as undeliverable.

17 (n) If a voter requests under AS 15.07.060(g) or, at least 45 days before an
 18 election, requests in writing or by other means designated in regulations adopted by
 19 the director to receive a ballot in a language other than English in which the division is
 20 required to print election materials under 52 U.S.C. 10503, as amended, the director
 21 shall provide the voter with a ballot and election materials under this section in the
 22 language requested.

23 * **Sec. 32.** AS 15.20.201(a) is amended to read:

24 (a) **Not** [NO] less than **10** [SEVEN] days preceding the day of election, the
 25 election supervisor, in the presence and with the assistance of the district absentee
 26 ballot counting board, shall **begin to** review all voter certificates **and envelopes** of
 27 absentee ballots received by that date. The review of absentee ballots shall continue at
 28 times designated by the election supervisor until completed. **An absentee ballot may**
 29 **not be counted until the accompanying voter certificate has been reviewed.**

30 * **Sec. 33.** AS 15.20.203(b) is amended to read:

31 (b) **The board shall reject an** [AN] absentee ballot [MAY NOT BE

1 COUNTED] if

2 (1) the voter has failed to properly **sign** [EXECUTE] the certificate;

3 (2) [AN OFFICIAL OR THE WITNESSES AUTHORIZED BY LAW
4 TO ATTEST THE VOTER'S CERTIFICATE FAIL TO EXECUTE THE
5 CERTIFICATE, EXCEPT THAT AN ABSENTEE BALLOT CAST IN PERSON
6 AND ACCEPTED BY AN ABSENTEE VOTING OFFICIAL OR ELECTION
7 SUPERVISOR MAY BE COUNTED DESPITE FAILURE OF THE ABSENTEE
8 VOTING OFFICIAL OR ELECTION SUPERVISOR TO PROPERLY SIGN AND
9 DATE THE VOTER'S CERTIFICATE AS ATTESTING OFFICIAL AS REQUIRED
10 UNDER AS 15.20.061(c);

11 (3) THE BALLOT IS NOT ATTESTED ON OR BEFORE THE
12 DATE OF THE ELECTION;

13 (4)] the ballot **envelope and certificate**, if **delivered by mail after the**
14 **day of the election** [POSTMARKED],

15 (A) is [NOT] postmarked **after** [ON OR BEFORE] the date of
16 the election; **or**

17 (B) **has a United States Postal Service tracking barcode or a**
18 **division of elections ballot tracking barcode verifying that the ballot was**
19 **mailed after the date of the election;**

20 (3) [(5)] after the day of election, the ballot was delivered by a means
21 other than mail;

22 (4) [OR (6)] the voter voted

23 (A) in person and is a

24 (i) first-time voter who initially registered by mail or by
25 facsimile or other electronic transmission approved by the director
26 under AS 15.07.050, has not provided the identification required by
27 AS 15.15.225(a), was not eligible for waiver of the identification
28 requirement under AS 15.15.225(b), and has not provided the
29 identifiers required in AS 15.07.060(a)(2) and (3) that can be verified
30 through state agency records described in AS 15.07.055(e); or

31 (ii) voter other than one described in (i) of this

1 subparagraph, did not provide identification described in
 2 AS 15.15.225(a), was not personally known by the election official,
 3 and has not provided the identifiers required in AS 15.07.060(a)(2) and
 4 (3); or

5 (B) by mail or electronic transmission, is a first-time voter who
 6 initially registered by mail or by facsimile or other electronic transmission
 7 approved by the director under AS 15.07.050 to vote, has not met the
 8 identification requirements set out in AS 15.07.060, and does not submit with
 9 the ballot a copy of a

10 (i) driver's license, state identification card, current and
 11 valid photo identification, birth certificate, passport, or hunting or
 12 fishing license; or

13 (ii) current utility bill, bank statement, paycheck,
 14 government check, or other government document; an item described
 15 in this sub-subparagraph must show the name and current address of
 16 the voter; or

17 **(5) the voter did not vote absentee in-person and the signature on**
 18 **the certificate is not consistent with the voter's signature in voter registration**
 19 **records.**

20 * **Sec. 34.** AS 15.20.203 is amended by adding a new subsection to read:

21 (k) Except for a voter who voted absentee in-person, the district absentee
 22 counting board shall determine whether a voter's signature on the certificate is
 23 consistent with the voter's signature in voter registration records using a signature
 24 verification process that includes signature comparison software, according to a
 25 procedure provided in regulations adopted by the director. An election official may not
 26 determine that the signature on a voter's return envelope does not match the signature
 27 stored in the voter's registration record solely based on substitution of initials or use of
 28 a common nickname. The director shall provide training in signature comparison and
 29 the use of signature comparison software to election officials who compare signatures
 30 under this section.

31 * **Sec. 35.** AS 15.20.220(b) is amended to read:

1 (b) The state review board shall review and count absentee ballots under
 2 AS 15.20.081(e) and (h), absentee ballots properly cured under AS 15.20.222, and
 3 questioned ballots that have been forwarded to the director and that have not been
 4 reviewed or counted by a district counting board.

5 * **Sec. 36.** AS 15.20 is amended by adding new sections to read:

6 **Sec. 15.20.221. Ballot tracking system.** (a) The director shall establish an
 7 online ballot tracking system. The director may procure the system from a third party.
 8 The system must be designed to allow a voter to easily use the system through a
 9 mobile electronic device. The system must allow a voter to

- 10 (1) confirm that the voter's ballot has been sent by the division;
- 11 (2) track the date of the ballot's delivery to the voter;
- 12 (3) confirm the division's receipt of the voter's ballot;
- 13 (4) determine whether the voter's certificate has been reviewed;
- 14 (5) determine whether the voter's ballot has been counted; and
- 15 (6) provide the information necessary to cure a rejected ballot.

16 (b) The online system must indicate to a voter

- 17 (1) the process by which the voter may cure the lack of signature or
 18 verify the voter's identity, if the signature on the voter's ballot was missing or was
 19 determined to not match the signature in the voter's registration record under
 20 AS 15.20.203(k); and
- 21 (2) the reason the voter's ballot was not counted, if the ballot was not
 22 counted.

23 (c) The division may not charge a voter a fee to use the online system.

24 **Sec. 15.20.222. Procedure for curing uncounted ballot.** (a) If a voter returns
 25 a ballot that is rejected because the voter does not have a signature stored in voter
 26 registration records, the certificate is missing a signature, the signature on the
 27 certificate is determined under AS 15.20.203 to not match the signature in voter
 28 registration records, or the voter provided insufficient voter identification, the director
 29 shall immediately make a reasonable effort to contact the voter, explain the ballot
 30 deficiency, explain how the deficiency may be cured, and inform the voter of the
 31 deadline to cure the ballot. The director shall, within 24 hours, attempt to begin

1 sending notices of deficiency by electronic mail to the voter's electronic mail address
2 if the voter has provided an electronic mail address. If the voter has provided a
3 telephone number, the director shall, within 24 hours, attempt to notify the voter of the
4 deficiency by telephone call and text message. The director shall, within 48 hours and
5 not later than five days after election day, send a notice of deficiency by first class,
6 nonforwardable mail to the address on the voter's registration record.

7 (b) A notice of deficiency must include an explanation of the need for a
8 signature for verification purposes. The notice must include a form for the voter to
9 confirm that the voter returned a ballot to the division, provide a copy of a form of
10 identification accepted by the division under AS 15.15.225(a), and provide a signature
11 for verification. The director shall provide a printed copy of the form with the notice
12 of deficiency mailed to the voter. The director shall also make the form available in a
13 format that can be completed and returned electronically.

14 (c) The rejected ballot of a voter who received a notice of deficiency may be
15 counted only if

16 (1) the voter returns the form sent with the notice of deficiency, the
17 division receives the form within 14 days after election day, and the form confirms
18 that the voter returned a ballot to the division;

19 (2) the voter provides a signature and includes a copy of a form of
20 identification accepted by the division under AS 15.15.225(a); and

21 (3) the ballot is otherwise valid.

22 (d) The director shall, if applicable, send copies of the signature on the voter's
23 return envelope and the signature stored in voter registration records to the attorney
24 general for investigation if the voter returns the form and the form indicates that the
25 voter did not return a ballot to the division.

26 (e) The division shall update the signature stored in voter registration records
27 if the voter, after providing a copy of a form of identification accepted by the division
28 under AS 15.15.225(a), either provides a signature for the voter's missing signature or
29 cures a nonmatching signature under this section.

30 * **Sec. 37.** AS 15.20.800(a) is amended to read:

31 (a) The director may conduct an election by mail

1 **(1) in an unincorporated community with a population of 750 or**
 2 **less if the director determines that, because of an inability to hire election**
 3 **workers, facilitating organized in-person voting in the community is**
 4 **unreasonable;**

5 **(2) in an area affected or threatened by a disaster while a disaster**
 6 **declaration under AS 26.23.020 is in effect if the governor declares the emergency**
 7 **because of**

8 **(A) an incident described in AS 26.23.900(2)(A);**

9 **(B) an outbreak of disease or a credible threat of an**
 10 **imminent outbreak of disease; or**

11 **(C) an enemy or terrorist attack or a credible threat of an**
 12 **imminent enemy or terrorist attack; or**

13 **(3)** if it is held at a time other than when the general, [PARTY]
 14 primary, or municipal election is held.

15 * **Sec. 38.** AS 15.56.030(d) is amended to read:

16 (d) For purposes of (a)(2) and (3) of this section, "other valuable thing"

17 (1) includes

18 (A) an entry in a game of chance in which a prize of money or
 19 other present or future pecuniary gain or advantage may be awarded to a
 20 participant wherein the total of the prizes offered is greater than \$2 per
 21 participant with a maximum of \$100; and

22 (B) government employment or benefits;

23 (2) does not include

24 (A) materials having a nominal value bearing the name,
 25 likeness, or other identification of a candidate, political party, political group,
 26 party district committee, or organization, or stating a position on a ballot
 27 proposition or question;

28 (B) food and refreshments provided incidental to an activity
 29 that is nonpartisan in nature and directed at encouraging persons to vote, or
 30 incidental to a gathering in support of or in opposition to a candidate, political
 31 party, political group, party district committee, organization, or ballot question

1 or proposition;

2 (C) care of the voter's dependents provided in connection with
3 the absence of a voter from home for the purpose of voting;

4 (D) services provided by a person acting as a representative
5 under AS 15.20.072;

6 (E) services provided by an election official as defined in
7 AS 15.80.010; [AND]

8 (F) transportation of a voter to or from the polls without
9 charge; **and**

10 **(G) postage-paid return envelopes required in**
11 **AS 15.20.030.**

12 * **Sec. 39.** AS 15.56.199(1) is amended to read:

13 (1) "election" includes a local election as defined in AS 15.80.010 in
14 addition to **an** [A STATE] election **conducted by the division**;

15 * **Sec. 40.** AS 15.80 is amended by adding a new section to read:

16 **Sec. 15.80.009. Election worker minimum compensation.** The division shall
17 pay not less than

18 (1) \$15.00 an hour to election board workers for time spent performing
19 their election duties;

20 (2) \$15.50 an hour to election board chairs for time spent performing
21 their election duties;

22 (3) \$15.00 an hour to district absentee ballot review board members,
23 questioned ballot review board members, and absentee voting officials for time spent
24 performing their election duties;

25 (4) \$15.50 an hour to officials at early voting stations for time spent
26 performing their election duties;

27 (5) \$15.00 an hour to ballot tabulation coordinators, polling place field
28 workers, individuals appointed as personal representatives, and absentee and
29 questioned ballot processors for time spent performing their election duties;

30 (6) \$12.50 an hour to extra election day and election night workers and
31 write-in counting team members for time spent performing their election duties.

1 * **Sec. 41.** AS 29.20.380(c) is amended to read:

2 (c) The municipal clerk may act as an absentee voting official under
3 AS 15.20.045(c) for the limited purpose of distributing absentee ballots to qualified
4 voters or qualified voters' representatives under AS 15.20.072 in a municipality in
5 which the division of elections will not be operating an **early** [ABSENTEE] voting
6 station **under AS 15.20.045(b).**

7 * **Sec. 42.** AS 29.26.050 is amended by adding a new subsection to read:

8 (d) Except as a municipality may require for elections held only in specific
9 local election districts or service areas under (b) of this section, a person who has lived
10 within the municipality for at least 30 days, but who has not registered to vote in state
11 elections at a residence address within the municipality at least 30 days before a
12 municipal election, may vote only an absentee, special needs, or questioned ballot in
13 that election. The municipality may not reject the absentee, special needs, or
14 questioned ballot of a qualified voter who registers within 30 days before or on the day
15 of an election on the grounds that the voter is not on the official registration list for the
16 election.

17 * **Sec. 43.** AS 15.10.170(b); AS 15.20.203(i), 15.20.203(j); and AS 29.26.050(a)(3) are
18 repealed.

19 * **Sec. 44.** The uncodified law of the State of Alaska is amended by adding a new section to
20 read:

21 REPORT TO THE LEGISLATURE. The division of elections shall provide a report
22 to the legislature by November 1, 2025, recommending options for expanding early voting in
23 rural communities and low-income neighborhoods. The division shall deliver the report to the
24 senate secretary and the chief clerk of the house of representatives and notify the legislature
25 that the report is available. In this section,

26 (1) "low-income neighborhood" means a neighborhood where the median
27 family income is below 80 percent of the statewide median family income;

28 (2) "rural community" means a community with a population of 7,500 or less
29 that is not connected by road or rail to Anchorage or Fairbanks or a community with a
30 population of 3,500 or less that is connected by road or rail to Anchorage or Fairbanks.

31 * **Sec. 45.** The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 APPLICABILITY. AS 15.56.030(d), as amended by sec. 38 of this Act, applies to
3 offenses committed on or after the effective date of sec. 38 of this Act.

4 * **Sec. 46.** The uncodified law of the State of Alaska is amended by adding a new section to
5 read:

6 TRANSITION: REGULATIONS. The division of elections may adopt regulations
7 necessary to implement the changes made by this Act. The regulations take effect under
8 AS 44.62 (Administrative Procedure Act), but not before the effective date of the law
9 implemented by the regulation.

10 * **Sec. 47.** Section 46 of this Act takes effect immediately under AS 01.10.070(c).

11 * **Sec. 48.** Except as provided in sec. 47 of this Act, this Act takes effect January 1, 2024.