

HB86 ENGROSSED



1 HB86
2 7LK1E2E-2
3 By Representative Pringle
4 RFD: Constitution, Campaigns and Elections
5 First Read: 06-Feb-24
6 PFD: 01-Feb-24



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A BILL
TO BE ENTITLED
AN ACT

Relating to voting; to amend Section 17-9-10, Code of Alabama 1975, to provide procedures for an elector to vote when the elector has changed his or her domicile and has not updated his or her voter registration record prior to an election.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-9-10, Code of Alabama 1975, is amended to read as follows:

"§17-9-10

(a) At all elections held within this state, the elector shall vote in the county and voting place of the precinct of his or her domicile and nowhere else and shall have registered as provided in this title. If any elector attempts to vote in any voting place other than that of his or her domicile, his or her vote shall be rejected, except when casting a provisional ballot, as provided by law.

(b) If any elector who has a current domicile that differs from the domicile listed on the elector's voter registration record but whose current domicile is within the same voting place of the precinct of the elector's voter



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29 registration record, and the elector attempts to vote, an
30 election official may provide the elector a form to update his
31 or her voter registration record and allow the elector to cast
32 a regular ballot.

33 (c) (1) If any elector who has a current domicile that
34 differs from the domicile listed on the elector's voter
35 registration record and whose current domicile is not within
36 the same voting place of the precinct of the elector's voter
37 registration record, and the elector attempts to vote, an
38 election official may inform the elector of his or her correct
39 voting place and instruct the elector to go to the correct
40 voting place of the precinct of his or her current domicile,
41 so long as the current domicile is within the same county
42 where the elector is registered to vote.

43 (2) An election official may inquire as to whether an
44 elector's current domicile differs from the domicile listed on
45 the elector's voter registration record if any of the
46 following occur:

47 a. The elector informs an election official that his or
48 her current domicile differs from the domicile listed on the
49 elector's voter registration record.

50 b. The identification presented by the elector bears an
51 address that differs from the domicile on his or her voter
52 registration record and, after reasonable inquiry, the
53 election official has a reasonable and good faith belief that
54 the domicile of the elector is no longer within the precinct
55 of the voting place where the elector is attempting to vote.

56 c. The election official has a reasonable and good



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57 faith belief from independent and reliable sources that the
58 elector's domicile is no longer within the precinct of that
59 voting place.

60 (3) An election official may provide a pass or other
61 form to an elector whose current domicile is not within the
62 precinct of the voting place where he or she is attempting to
63 vote to facilitate and minimize the elector's wait time to
64 vote at the correct voting place.

65 (4) An elector shall be entitled to cast a provisional
66 ballot at the correct voting place, which provisional ballot
67 shall permit the elector to update his or her voter
68 registration, effective immediately. The canvassing board
69 shall take the necessary measures to ensure that all votes
70 lawfully cast on any provisional ballot pursuant to this
71 subdivision are tabulated and included in the final certified
72 election returns.

73 (d) If an elector who has been directed to proceed to
74 another voting place pursuant to subsection (c) and the
75 elector asserts that he or she is eligible to vote at the
76 voting place where he or she is attempting to vote, the
77 election official shall allow the elector to cast a
78 provisional ballot at the voting place identified on the
79 elector's voter registration record. An inspector within the
80 voting place where the elector is attempting to vote may file
81 a challenge statement under penalty of perjury setting forth
82 the facts demonstrating the inspector's reasonable good faith
83 belief as to why the elector is not qualified to vote in the
84 voting place in accordance with Section 17-10-2(a)(2)."



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85 Section 2. This act shall become effective on October
86 1, 2024.



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House of Representatives

Read for the first time and referred06-Feb-24
to the House of Representatives
committee on Constitution, Campaigns
and Elections
Read for the second time and placed06-Mar-24
on the calendar:
0 amendments
Read for the third time and passed02-Apr-24
as amended
Yeas 103
Nays 0
Abstains 0

John Treadwell
Clerk