

1 HB71  
2 151839-4  
3 By Representative Sanderford  
4 RFD: Constitution, Campaigns and Elections  
5 First Read: 14-JAN-14  
6 PFD: 12/18/2013

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8 SYNOPSIS: Under existing law, a list of registered  
9 voters is required to be published in a newspaper  
10 of general circulation in the county prior to each  
11 regular primary election. Additionally, a list of  
12 the registered voters to be removed from the voters  
13 list is required to be published when statewide  
14 voter file maintenance is conducted. Also under  
15 existing law, notice of all elections and a list of  
16 inspectors and clerks for an election are required  
17 to be published in a newspaper of general  
18 circulation in the county.

19 This bill would eliminate the requirement to  
20 publish these lists and notices, except the lists  
21 of voters to be removed, and have this information  
22 posted on the county website, or if there is no  
23 website maintained by the county, on the website of  
24 the Association of County Commissions of Alabama.  
25 This bill would also require that this information  
26 would be available for review upon request at a  
27 reasonable cost and that the county place a display

1 advertisement at least one-half page in size in  
2 some newspaper of general circulation in the county  
3 providing information about where the lists and  
4 notices are available.

5 This bill would limit payment to one list  
6 per election.

7  
8 A BILL  
9 TO BE ENTITLED  
10 AN ACT

11  
12 To amend Sections 17-4-1, 17-4-10, and 17-9-5, Code  
13 of Alabama 1975, to remove the requirement to publish certain  
14 lists of registered voters and inspectors and clerks and  
15 election notices in a newspaper of general circulation in the  
16 county; to require the information to be posted on a county  
17 website and made available upon request at a reasonable cost  
18 to the person making this request; to require the county to  
19 place a display advertisement in a newspaper of general  
20 circulation in the county identifying where voter list and  
21 election notice information is available.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Sections 17-4-1, 17-4-10, and 17-9-5,  
24 Code of Alabama 1975, are amended to read as follows:

25 "§17-4-1.

26 "~~The~~ (a) On or before the twentieth day preceding  
27 the regularly scheduled primary election, the judge of probate

1 shall ~~publish from the state voter registration list~~ post on  
2 the website of the county a correct alphabetical list of  
3 qualified electors from the state voter registration list  
4 either by county, precinct, district, or subdivision wherein  
5 each elector is registered to vote, ~~in some newspaper with~~  
6 ~~general circulation in the county, on or before the twentieth~~  
7 ~~day preceding the regularly scheduled primary election.~~ If the  
8 county does not maintain a website, the list shall be posted  
9 on the website of the Association of County Commissions of  
10 Alabama. The list shall also be available upon request at a  
11 reasonable cost from the office of the judge of probate and  
12 copies shall be posted for review in other public buildings.  
13 In addition to the posting, the county shall give notice by  
14 placing a display advertisement at least one-half page in size  
15 once a week for two consecutive weeks in a newspaper with  
16 general circulation in the county meeting the requirements for  
17 publication of legal notices pursuant to Sections 6-8-60 and  
18 6-8-64. Provided, however, for the first primary election  
19 following the reapportionment of the Alabama Legislature, the  
20 display advertisement shall be published in each newspaper  
21 with general circulation in the county meeting the  
22 requirements for publication of legal notices pursuant to  
23 Sections 6-8-60 and 6-8-64. The advertisement shall include  
24 the website address where the list can be obtained, state that  
25 the list will be available at a reasonable cost from the  
26 office of the judge of probate, and include contact  
27 information for the office of the judge of probate.

1           "(b) The list of qualified electors prepared by the  
2 judge of probate shall be accompanied by a printed  
3 certification generated by the state voter registration system  
4 verifying that the list contains the names of all qualified  
5 electors registered as of the specified time and date when it  
6 was printed. The list shall further state that any elector  
7 whose name was inadvertently omitted from the list shall have  
8 10 days in which to have his or her name entered upon the list  
9 of qualified voters.

10           "(c) If within 10 days after the list of qualified  
11 electors is made available, any voter shall reasonably satisfy  
12 the board of registrars by proper proof that any name should  
13 be added to the list, the board shall add ~~such~~ the name of the  
14 voter to the list. The supplemental list of registered voters  
15 inadvertently omitted from the original list shall be  
16 ~~published once in a newspaper of general circulation in the~~  
17 ~~county~~ posted on the county's website or, if the county does  
18 not maintain a website, on the website of the Association of  
19 County Commissions of Alabama, on or before the seventh day  
20 preceding the date of the primary election and the  
21 availability of the list shall be noted in the display  
22 advertisement required by subsection (a). ~~The lists required~~  
23 ~~to be published pursuant to this section may be published, at~~  
24 ~~the discretion of the county commission, as a preprinted or~~  
25 ~~inserted advertising supplement at a cost no greater than the~~  
26 ~~selected newspaper's lowest applicable national insertion~~  
27 ~~rates. If the list is published as a preprinted supplement in~~

1 ~~the selected newspaper, the supplement size shall conform to~~  
2 ~~the size requirements set by the selected newspaper and shall~~  
3 ~~be printed on standard newsprint paper. The type size shall be~~  
4 ~~no smaller than nine point standard type. The list shall also~~  
5 ~~be delivered to the newspaper for insertion in a manner~~  
6 ~~required for other advertising supplements. The supplement may~~  
7 ~~not contain any other advertising. Any newspaper accepting a~~  
8 ~~preprinted insertion that is not prepared by the newspaper~~  
9 ~~shall not be responsible for the content of such insertion.~~  
10 The list shall also be made available upon request at no cost  
11 at a reasonable cost from the office of the judge of probate  
12 and copies shall be posted for review in other public  
13 buildings. Nothing in this section shall prohibit a county  
14 commission from publishing the list of ~~voters~~ qualified  
15 electors in ~~more than one~~ any newspaper within the county at  
16 the county commission's discretion.

17 "§17-4-10.

18 "The names of persons in the county to be struck  
19 from the list of registered voters shall be listed by precinct  
20 and in alphabetical order and published in a newspaper of  
21 general circulation in the county meeting the requirements for  
22 publication of legal notices pursuant to Sections 6-8-60 and  
23 6-8-64 once a week and posted on the county's website for at  
24 least two consecutive weeks in November or December of each  
25 year in which the statewide voter file maintenance is  
26 conducted. If the county does not maintain a website, the list  
27 shall be posted on the website of the Association of County

1 Commissions of Alabama. The list shall also be available at no  
2 cost at a reasonable cost to the requestor from the judge of  
3 probate's office and copies shall be posted for review in  
4 other public buildings. Provided, however, for the first voter  
5 file maintenance process following the reapportionment of the  
6 Alabama Legislature, the list required by this section shall  
7 be published in each newspaper with general circulation in the  
8 county meeting the requirements for publication of legal  
9 notices pursuant to Sections 6-8-60 and 6-8-64. The county  
10 shall place a display advertisement at least one-quarter page  
11 in size in a newspaper with general circulation in the county.  
12 The advertisement shall include the website address where the  
13 list can be obtained, state that the list will be available  
14 upon request at no cost at a reasonable cost from the office  
15 of the judge of probate, and include contact information for  
16 the office of the judge of probate.

17 "§17-9-5.

18 "The judge of probate must give notice of each  
19 election at least 30 days before ~~each~~ the election by  
20 ~~publication in a newspaper of general circulation in the~~  
21 ~~county, if any is published therein and, if not, by writings~~  
22 ~~posted~~ posting notice on the county's website, at the  
23 courthouse door, and at three other public places in the  
24 county, of . If the county does not maintain a website, the  
25 notice shall be posted on the website of the Association of  
26 County Commissions of Alabama. In addition, the county shall  
27 place a display advertisement of at least one-quarter page in

1 size in a newspaper with general circulation in the county  
2 meeting the requirements for publication of legal notices  
3 pursuant to Sections 6-8-60 and 6-8-64. The advertisement  
4 shall include the website address where the notice of election  
5 may be obtained. The notice of election available on the  
6 website and at the courthouse and other public places shall  
7 include the time of holding the election and the offices to be  
8 filled by ~~such~~ the election. ~~Such~~ The notice shall consist  
9 only of the date of the election and the officers to be voted  
10 for or subjects to be voted on."

11 Section 2. This act shall become effective  
12 immediately following its passage and approval by the  
13 Governor, or its otherwise becoming law and shall apply to any  
14 election cycle commencing after the effective date of the act.