

CS FOR HOUSE BILL NO. 66(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 5/15/22

Referred: Finance

Sponsor(s): REPRESENTATIVES TUCK, Schrage, Drummond, Kreiss-Tomkins, Tarr

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to elections; relating to voters; relating to the crimes of unlawful
2 interference with voting, unlawful interference with an election, election fraud, and
3 election official misconduct; and providing for an effective date."

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

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

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

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

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

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

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

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

14 (a) Each applicant who requests registration or reregistration shall supply the

1 following information:

- 2 (1) the applicant's name and sex;
- 3 (2) if issued, the applicant's State of Alaska driver's license number or
4 State of Alaska identification card number, or the last four digits of the applicant's
5 social security number;
- 6 (3) the applicant's date of birth;
- 7 (4) the applicant's Alaska residence address;
- 8 (5) a statement of whether the applicant has previously been registered
9 to vote in another jurisdiction, and, if so, the jurisdiction and the address of the
10 previous registration;
- 11 (6) a declaration that the applicant will be 18 years of age or older
12 within 90 days after the date of registration;
- 13 (7) a declaration that the applicant is a citizen of the United States;
- 14 (8) the date of application;
- 15 (9) the applicant's signature or mark, **or an electronic image of the**
16 **applicant's signature submitted in the format and according to the process**
17 **specified by the division in regulation;**
- 18 (10) any former name under which the applicant was registered to vote
19 in the state;
- 20 (11) an attestation that the information provided by the applicant in (1)
21 - (10) of this subsection is true; [AND]
- 22 (12) a certification that the applicant understands that a false statement
23 on the application may make the applicant subject to prosecution [FOR A
24 MISDEMEANOR] under this title or **for perjury under AS 11;**
- 25 **(13) if applying to register for the next election within 30 days**
26 **before or on the day of the election,**
- 27 **(A) an affidavit, signed under penalty of perjury and**
28 **witnessed by an election official, stating whether the applicant established**
29 **residency at least 30 days before the date of the election in**
- 30 **(i) the state; and**
- 31 **(ii) the house district in which the applicant seeks to**

1 vote at the election; and

2 (B) a physical or electronic copy of

3 (i) identification issued by the federal government,
 4 the state, a municipality, a tribal government, or a secondary or
 5 postsecondary school that displays the applicant's Alaska residence
 6 address; or

7 (ii) a utility bill, bank statement, paycheck,
 8 government check, or other government document dated not more
 9 than 60 days before the registration or reregistration and
 10 displaying the applicant's name and Alaska residence address; and

11 (14) an acknowledgment of understanding by the applicant that, if
 12 the applicant is registered to vote in another jurisdiction, the director will notify
 13 the chief elections officer of that jurisdiction that the applicant has registered to
 14 vote in this state and request the applicant's voter registration be canceled in that
 15 jurisdiction.

16 * **Sec. 3.** AS 15.07.060 is amended by adding a new subsection to read:

17 (g) The division shall provide an applicant the opportunity to designate, from
 18 among the written languages in which the division is required to print election
 19 materials under 52 U.S.C. 10503, as amended, the language in which the applicant
 20 prefers to receive ballots and other election materials printed for an election. The
 21 division shall provide the applicant with ballots and election materials in the
 22 applicant's designated language unless the applicant designates a language in which
 23 the division is not required to print ballots and election materials. The division shall
 24 notify an applicant when ballots and election materials printed in the designated
 25 language are not available and allow the applicant another opportunity to designate a
 26 language under this subsection. The division shall provide an applicant with ballots
 27 and election materials in the designated language until the earlier of the date that

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

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

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

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

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

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

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

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

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

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

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

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

31 The director shall transfer the registration of a voter from one house district to another

1 when requested by the voter. The voter must reside in the new house district for at
 2 least 30 days in order to vote **a ballot for that district.**

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

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

19 * **Sec. 10.** AS 15.07 is amended by adding a new section to read:

20 **Sec. 15.07.128. Voter fraud mitigation policy.** It is the policy of the state to
 21 reduce voting fraud by using reasonable and affordable tools and technology to
 22 mitigate the potential for voting fraud, including reviewing voter registration
 23 applications and the master register for the names of the deceased, felons ineligible to
 24 vote, non-citizens, and individuals voting unlawfully.

25 * **Sec. 11.** AS 15.07.130(e) is amended to read:

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

- 27 (1) the voter is present at a polling place or at an **early** [ABSENTEE]
 28 voting station **designated under AS 15.20.045(b)** at a time when the polling place or
 29 **early** [ABSENTEE] voting station is operating, for the purpose of casting a vote;
 30 (2) the voter applies to the division to obtain an absentee ballot; or
 31 (3) in an election conducted by mail under AS 15.20.800, a voter who

1 has not received a ballot by mail makes a timely request to the division for a ballot.

2 * **Sec. 12.** AS 15.07.130 is amended by adding new subsections to read:

3 (g) The division shall adopt regulations providing for regular review and
4 updates of the master register. The regulations must provide for review of the register
5 for data breaches, the number of registered voters compared to eligible voters, and the
6 names of deceased voters, persons convicted of a felony involving moral turpitude,
7 persons not qualified to vote under AS 15.05, and persons registered to vote in another
8 state. The regulations must specify records and databases for use in reviewing the
9 master register; the records and databases may include the United States Postal
10 Service national change of address database, an electronic registration information
11 center dedicated to improving the integrity of voter rolls and maintained by a nonprofit
12 membership organization of which the state is a member, state motor vehicle records,
13 records of the state programs of corrections, property and sales tax records, municipal
14 assessor databases, the United States Social Security Administration death index and
15 other records of the federal social security system, an alien database maintained by the
16 United States Department of Homeland Security, and jury duty records.

17 (h) The director shall adopt a voter registration system that applies best
18 practices to improve identity matching when comparing voter registration lists with
19 the records and databases used to review the master register. The director shall
20 develop a written maintenance schedule and guideline manual for the system and
21 provide a report on the system to the senate secretary and the chief clerk of the house
22 of representatives on or before the first day of the first regular session of each
23 legislature and shall notify the legislature that the report is available.

24 (i) The director shall, in a notice sent under (a) of this section, inform a voter
25 of the criteria to qualify as a voter and the penalties for voter fraud and voter
26 misconduct.

27 * **Sec. 13.** AS 15.07 is amended by adding a new section to read:

28 **Sec. 15.07.133. Process to cancel registration.** The director shall develop a
29 process to allow a voter to cancel the voter's registration in person before an election
30 official or electronically. The director shall prominently display instructions at each
31 polling place and on the division's Internet website for a voter to cancel the voter's

1 registration.

2 * **Sec. 14.** AS 15.10.090 is amended to read:

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

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

9 (2) providing notice of the change

10 (A) by publication once in a local newspaper of general
 11 circulation in the precinct; or

12 (B) if there is not a local newspaper of general circulation in
 13 the precinct, by posting written notice in three conspicuous places as close to
 14 the precinct as possible; at least one posting location must be in the precinct;

15 (3) posting notice of the change on the Internet website of the division
 16 of elections;

17 (4) providing notification of the change to the appropriate municipal
 18 clerks, community councils, tribal groups, Native villages, and village regional
 19 corporations established under 43 U.S.C. 1606 (Alaska Native Claims Settlement
 20 Act); and

21 (5) inclusion in the official election pamphlet.

22 * **Sec. 15.** AS 15.10.170(a) is amended to read:

23 (a) The precinct party committee, where an organized precinct committee
 24 exists, or the party district committee where no organized precinct committee exists,
 25 or the state party chairperson where neither a precinct nor a party district committee
 26 exists, may appoint one or more [PERSONS AS] watchers in each precinct and
 27 counting center for any election. A [EACH] candidate may appoint one or more
 28 watchers for each precinct or counting center in the candidate's respective district or
 29 the state for any election. An [ANY] organization or organized group that sponsors or
 30 opposes **a ballot proposition** [AN INITIATIVE, REFERENDUM,] or recall may
 31 have one or more [PERSONS AS] watchers at the polls and counting centers after first

1 obtaining authorization from the director. A state party chairperson, a precinct party
 2 committee, a party district committee, or a candidate may not have more than one
 3 watcher on duty at a time in any precinct or counting center. A watcher must be a
 4 United States citizen. The watcher may be present at a position inside the place of
 5 voting or counting that affords a full view of all action of the election officials taken
 6 from the time the polls are opened until the ballots are finally counted and the results
 7 certified by the election board or the data processing review board. The election board
 8 or the data processing review board may require each watcher to present written proof
 9 showing appointment by the precinct party committee, the party district committee,
 10 the organization or organized group, or the candidate the watcher represents **and that**
 11 **is signed by the respective chairperson of the precinct party committee, party**
 12 **district committee, state party chairperson, organization or organized group, or**
 13 **candidate.**

14 * **Sec. 16.** AS 15.15.030 is amended by adding a new paragraph to read:

15 (18) The director shall adopt a regulation requiring that an official
 16 ballot, including an electronic ballot, contain a watermark, seal, or other security
 17 identifier. The division may not count a ballot that does not include the watermark,
 18 seal, or other security identifier. In this paragraph, "security identifier" includes an
 19 election official's signature.

20 * **Sec. 17.** AS 15.15 is amended by adding new sections to read:

21 **Sec. 15.15.055. Ballot security and chain of custody.** (a) The director shall
 22 provide by regulation for a system for ballot security and chain of custody to account
 23 for the original of each used and unused ballot, absentee ballot certificate and
 24 envelope, and the paper record of an electronically generated ballot under
 25 AS 15.15.032 through a redundant, secure, and sealed system that accounts for the
 26 location and entity that has custody of a ballot or record from the time the ballot is
 27 printed or paper record produced, until 22 months after the applicable election is
 28 certified under AS 15.15.450. The system must include, for each ballot that leaves the
 29 division's immediate custody, an envelope-based barcode or other mechanism
 30 sufficient to account for ballot chain of custody at all times the ballot is outside
 31 division custody. The division shall continually update the system adopted under this

1 section to ensure that state election practices and procedures are consistent with best
 2 practices and procedures and protect the integrity of state elections held under this
 3 title. A signed ballot chain-of-custody document must accompany a ballot or group of
 4 ballots in the division's possession. An election official shall sign the document
 5 immediately upon receiving or releasing a ballot or group of ballots.

6 (b) The director shall by regulation develop a process to, following the closing
 7 of the polls, void all unused ballots, spoiled ballots, and unopened packs of ballots
 8 without mutilating or destroying the forensic integrity of the unused ballots, spoiled
 9 ballots, or unopened packs of ballots.

10 **Sec. 15.15.057. Election offense hotline.** The director shall establish a toll-
 11 free election offense hotline to receive telephone calls reporting election offenses
 12 under this chapter. The director shall publicize the availability of the toll-free hotline
 13 and encourage the public to provide information to the division related to voter
 14 misconduct or other election offenses under this chapter.

15 * **Sec. 18.** AS 15.15.060 is amended by adding a new subsection to read:

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

22 * **Sec. 19.** AS 15.15.170 is amended to read:

23 **Sec. 15.15.170. Prohibition of political persuasion near election polls. (a)**
 24 During the hours the polls are open, a person who is in the polling place or within 200
 25 feet of any entrance to the polling place may not

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

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

31 **(b)** The election officials shall post warning notices at the required distance in

1 the form and manner prescribed by the director.

2 * **Sec. 20.** AS 15.15.210 is amended to read:

3 **Sec. 15.15.210. Questioning of voters of suspect qualification; questioned**
 4 **ballot declaration.** Every election official shall question, and every watcher and any
 5 other person qualified to vote in the precinct may question, a person attempting to vote
 6 if the questioner has good reason to suspect that the questioned person is not qualified
 7 under AS 15.05. All questions regarding a person's qualifications to vote shall be
 8 made in writing setting out the reason the person has been questioned. A questioned
 9 person shall **complete the declaration required under (b) of this section** [,
 10 BEFORE VOTING, SUBSCRIBE TO A DECLARATION IN A FORM PROVIDED
 11 BY THE DIRECTOR ATTESTING TO THE FACT THAT IN EACH
 12 PARTICULAR THE PERSON MEETS ALL THE QUALIFICATIONS OF A
 13 VOTER, IS NOT DISQUALIFIED, AND HAS NOT VOTED AT THE SAME
 14 ELECTION, AND CERTIFYING THAT THE PERSON UNDERSTANDS THAT A
 15 FALSE STATEMENT ON THE DECLARATION MAY SUBJECT THE PERSON
 16 TO PROSECUTION FOR A MISDEMEANOR UNDER THIS TITLE OR AS 11.
 17 AFTER THE QUESTIONED PERSON HAS EXECUTED THE DECLARATION,
 18 THE PERSON MAY VOTE]. If the questioned person refuses to execute the
 19 declaration, the person may not vote.

20 * **Sec. 21.** AS 15.15.210 is amended by adding a new subsection to read:

21 (b) Each person voting a questioned ballot shall complete a declaration in a
 22 form provided by the director attesting to the fact that the person is a qualified voter, is
 23 not disqualified, and has not voted at the same election and certifying that the person
 24 understands that a false statement on the declaration may subject the person to
 25 prosecution under this title or for perjury under AS 11. For state and local elections,
 26 the voter must identify the voter's place of residence for the 30 days immediately
 27 preceding the election.

28 * **Sec. 22.** AS 15.15.215(a) is amended to read:

29 (a) A voter who casts a questioned ballot shall vote the ballot in the same
 30 manner as prescribed for other voters. The voter shall insert the ballot into a secrecy
 31 sleeve and put the secrecy sleeve into an envelope on which the **declaration required**

1 **by AS 15.15.210** [STATEMENT THE VOTER PREVIOUSLY SIGNED] is located.
 2 The envelope shall be sealed and deposited in the ballot box. When the ballot box is
 3 opened, the envelopes shall be segregated, counted, compared to the voting list, and
 4 delivered to the official or body supervising the election. The merits of the question
 5 shall be determined by this official or body in accordance with the procedure
 6 prescribed for questioned votes in AS 15.20.207.

7 * **Sec. 23.** AS 15.15.280 is amended to read:

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

12 * **Sec. 24.** AS 15.15.280 is amended by adding a new subsection to read:

13 (b) This section does not apply to a voter who
 14 (1) requests assistance under AS 15.15.240; or
 15 (2) subject to the prohibition on political persuasion in, or within 200
 16 feet of an entrance to, a polling place under AS 15.15.170, shares a photo, video, or
 17 other image of the voter's marked ballot with another person or with the public.

18 * **Sec. 25.** AS 15.15 is amended by adding a new section to read:

19 **Sec. 15.15.455. Risk-limiting audits.** (a) In addition to the ballot counting
 20 review conducted under AS 15.15.420 - 15.15.440, after each state election but before
 21 the certification of the ballot counting review under AS 15.15.450, the director shall
 22 conduct a risk-limiting audit of selected election results. The audit must be designed
 23 using statistical methods to limit the risk of certification of an election result that is
 24 inconsistent with the result that would be obtained by conducting a recount.

25 (b) The director shall adopt regulations necessary to implement and administer
 26 (a) of this section. The regulations must include a procedure for selecting which
 27 election results to audit. In adopting regulations under this subsection, the director
 28 shall consult recognized statistical experts, equipment vendors, and municipal clerks
 29 and shall consider best practices for conducting risk-limiting election audits.

30 * **Sec. 26.** AS 15.15.470 is amended to read:

31 **Sec. 15.15.470. Preservation of election ballots, papers, and materials.** The

1 director shall preserve all precinct election certificates, tallies, and registers for four
 2 years after the election. All ballots and stubs for elections other than national elections
 3 may be destroyed 30 days after the certification of the state ballot counting review
 4 unless an application for recount has been filed and not completed, or unless their
 5 destruction is stayed by an order of the court. All ballots for national elections may be
 6 destroyed in accordance with federal law. The director **shall** [MAY] permit the
 7 inspection of election materials upon call by the Congress, the state legislature, or a
 8 court of competent jurisdiction.

9 * **Sec. 27.** 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 the online system for tracking absentee ballots.**

14 * **Sec. 28.** AS 15.20.030 is amended to read:

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

1 * **Sec. 29.** AS 15.20.045(b) is amended to read:

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

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

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

15 * **Sec. 30.** AS 15.20.045(c) is amended to read:

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

22 * **Sec. 31.** AS 15.20.045 is amended by adding a new subsection to read:

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

27 * **Sec. 32.** AS 15.20.050 is amended to read:

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

1 early [ABSENTEE] voting stations designated under AS 15.20.045(b) at least 45
2 days before each election.

3 * **Sec. 33.** AS 15.20.061(a) is amended to read:

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

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

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

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

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

16 * **Sec. 34.** AS 15.20.064(b) is amended to read:

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

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

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

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

23 * **Sec. 35.** AS 15.20.064 is amended by adding a new subsection to read:

24 (e) If a voter's eligibility to vote cannot be verified by the election supervisor
25 or other election official under (b) of this section, the voter shall vote an absentee
26 ballot in the manner provided in AS 15.20.061.

27 * **Sec. 36.** AS 15.20 is amended by adding a new section to read:

28 **Sec. 15.20.068. Application for absentee ballot.** The division may not mail
29 an absentee ballot application to an eligible voter unless the voter expressly requests
30 an application. An application may not be distributed if a part of the application is
31 filled out for the voter, except as permitted under AS 15.20.081(a). An application

1 must prominently display who sent the application and prominently display
2 "Application only/Not a ballot" on the exterior address side of the envelope.

3 * **Sec. 37.** AS 15.20.072(b) is amended to read:

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

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

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

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

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

14 * **Sec. 38.** AS 15.20.081(b) is amended to read:

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

28 * **Sec. 39.** AS 15.20.081(d) is amended to read:

29 (d) Upon receipt of an absentee ballot by mail, the voter [, IN THE
30 PRESENCE OF A NOTARY PUBLIC, COMMISSIONED OFFICER OF THE
31 ARMED FORCES INCLUDING THE NATIONAL GUARD, DISTRICT JUDGE

1 OR MAGISTRATE, UNITED STATES POSTAL OFFICIAL, REGISTRATION
 2 OFFICIAL, OR OTHER PERSON QUALIFIED TO ADMINISTER OATHS,] may
 3 proceed to mark the ballot in secret, to place the ballot in the secrecy sleeve, to place
 4 the secrecy sleeve in the envelope provided, and to sign the voter's certificate on the
 5 envelope. **The** [IN THE PRESENCE OF AN OFFICIAL LISTED IN THIS
 6 SUBSECTION WHO SHALL SIGN AS ATTESTING OFFICIAL AND SHALL
 7 DATE THE SIGNATURE. IF NONE OF THE OFFICIALS LISTED IN THIS
 8 SUBSECTION IS REASONABLY ACCESSIBLE, AN ABSENTEE VOTER
 9 SHALL SIGN THE VOTER'S CERTIFICATE IN THE PRESENCE OF AN
 10 INDIVIDUAL WHO IS 18 YEARS OF AGE OR OLDER, WHO SHALL SIGN AS
 11 A WITNESS AND ATTEST TO THE DATE ON WHICH THE VOTER SIGNED
 12 THE CERTIFICATE IN THE INDIVIDUAL'S PRESENCE, AND, IN ADDITION,
 13 THE] voter shall certify, as prescribed in AS 09.63.020, under penalty of perjury, that
 14 the statements in the voter's certification are true.

15 * **Sec. 40.** AS 15.20.081(e) is amended to read:

16 (e) An absentee ballot must be marked on or before the date of the election.
 17 Except as provided in (h) of this section, a voter who returns the absentee ballot by
 18 mail, whether provided to the voter by mail or by electronic transmission, shall use a
 19 mail service at least equal to first class and mail the ballot not later than the day of the
 20 election to the election supervisor for the house district in which the voter seeks to
 21 vote. Except as provided in AS 15.20.480, the ballot may not be counted unless it is
 22 received by the close of business on the 10th day after the election. [IF THE BALLOT
 23 IS POSTMARKED, IT MUST BE POSTMARKED ON OR BEFORE ELECTION
 24 DAY.] After the day of the election, ballots may not be accepted unless received by
 25 mail. **A ballot received after the day of the election that is not postmarked or is**
 26 **postmarked after the day of the election may not be accepted unless the ballot**
 27 **envelope is marked with a United States Postal Service tracking barcode or a**
 28 **division of elections ballot tracking barcode sufficient to verify that the ballot was**
 29 **mailed on or before the day of the election.**

30 * **Sec. 41.** AS 15.20.081 is amended by adding new subsections to read:

31 (m) An absentee ballot application must include an option for a qualified voter

1 to choose to receive absentee ballots by mail for future regularly scheduled state
 2 elections. The division may not require a voter who chooses this option to reapply for
 3 an absentee ballot by mail unless

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

5 or

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

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

14 * **Sec. 42.** AS 15.20.201(a) is amended to read:

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

21 * **Sec. 43.** AS 15.20.203(b) is amended to read:

22 (b) **The board shall reject an** [AN] absentee ballot [MAY NOT BE
 23 COUNTED] if

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

25 (2) [AN OFFICIAL OR THE WITNESSES AUTHORIZED BY LAW
 26 TO ATTEST THE VOTER'S CERTIFICATE FAIL TO EXECUTE THE
 27 CERTIFICATE, EXCEPT THAT AN ABSENTEE BALLOT CAST IN PERSON
 28 AND ACCEPTED BY AN ABSENTEE VOTING OFFICIAL OR ELECTION
 29 SUPERVISOR MAY BE COUNTED DESPITE FAILURE OF THE ABSENTEE
 30 VOTING OFFICIAL OR ELECTION SUPERVISOR TO PROPERLY SIGN AND
 31 DATE THE VOTER'S CERTIFICATE AS ATTESTING OFFICIAL AS REQUIRED

1 UNDER AS 15.20.061(c);

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

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

6 (A) is [NOT] postmarked after [ON OR BEFORE] the date of
7 the election;

8 (B) has a United States Postal Service tracking barcode or a
9 division of elections ballot tracking barcode verifying that the ballot was
10 mailed after the date of the election; or

11 (C) is signed after the date of the election;

12 (3) [(5)] after the day of election, the ballot was delivered by a means
13 other than mail;

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

15 (A) in person and is a

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

23 (ii) voter other than one described in (i) of this
24 subparagraph, did not provide identification described in
25 AS 15.15.225(a), was not personally known by the election official,
26 and has not provided the identifiers required in AS 15.07.060(a)(2) and
27 (3); or

28 (B) by mail or electronic transmission, is a first-time voter who
29 initially registered by mail or by facsimile or other electronic transmission
30 approved by the director under AS 15.07.050 to vote, has not met the
31 identification requirements set out in AS 15.07.060, and does not submit with

1 the ballot a copy of a

2 (i) driver's license, state identification card, current and
3 valid photo identification, birth certificate, passport, or hunting or
4 fishing license; or

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

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

12 * **Sec. 44.** AS 15.20.203 is amended by adding a new subsection to read:

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

23 * **Sec. 45.** AS 15.20.220(b) is amended to read:

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

28 * **Sec. 46.** AS 15.20 is amended by adding new sections to read:

29 **Sec. 15.20.221. Ballot tracking system.** (a) The director shall establish or
30 procure an online system through which a voter may

31 (1) confirm that the voter's ballot has been sent by the division;

- 1 (2) track the date of the ballot's delivery to the voter;
- 2 (3) confirm the division's receipt of the voter's ballot;
- 3 (4) determine whether the voter's certificate has been reviewed; and
- 4 (5) determine whether the voter's ballot has been counted.

5 (b) The online system established or procured under (a) of this section must
6 indicate to a voter

7 (1) the process by which the voter may cure the lack of signature or
8 verify the voter's identity, if the signature on the voter's ballot was missing or was
9 determined to not match the signature in the voter's registration record under
10 AS 15.20.203(k); and

11 (2) the reason the voter's ballot was not counted, if the ballot was not
12 counted.

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

14 (d) In establishing or procuring the online system under (a) of this section, the
15 director shall ensure that the design of the system allows a voter to easily access the
16 information required by (a) and (b) of this section through a mobile electronic device.

17 **Sec. 15.20.222. Procedure for curing uncounted ballot.** (a) If a voter returns
18 a ballot that is rejected because the voter does not have a signature stored in voter
19 registration records, the certificate is missing a signature, the signature on the
20 certificate is determined under AS 15.20.203 to not match the signature in voter
21 registration records, or the voter provided insufficient voter identification, the director
22 shall immediately make a reasonable effort to contact the voter, explain the ballot
23 deficiency, explain how the deficiency may be cured, and inform the voter of the
24 deadline to cure the ballot. The director shall, within 24 hours, attempt to begin
25 sending notices of deficiency by electronic mail to the voter's electronic mail address
26 if the voter has provided an electronic mail address. If the voter has provided a
27 telephone number, the director shall, within 24 hours, attempt to notify the voter of the
28 deficiency by telephone call and text message. The director shall, within 48 hours, but
29 not later than five days after election day, send a notice of deficiency by first class,
30 nonforwardable mail to the address in the voter's registration record.

31 (b) A notice of deficiency must include an explanation of the need for a

1 signature for verification purposes. The notice must include a form for the voter to
 2 confirm that the voter returned a ballot to the division, provide a copy of a form of
 3 identification accepted by the division under AS 15.15.225(a), and provide a signature
 4 for verification. The director shall provide a printed copy of the form with the notice
 5 of deficiency mailed to the voter. The director shall also make the form available in a
 6 format that can be completed and returned electronically.

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

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

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

14 (3) the ballot is otherwise valid.

15 (d) A voter's rejected ballot may not be counted and the director shall, if
 16 applicable, send copies of the signature on the voter's return envelope and the
 17 signature stored in voter registration records to the attorney general for investigation if
 18 the voter returns the form and the form indicates that the voter did not return a ballot
 19 to the division.

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

24 * **Sec. 47.** AS 15.20.800(a) is amended to read:

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

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

30 **(2) in an area affected or threatened by a disaster while a disaster**
 31 **declaration under AS 26.23.020 is in effect if the governor declares the emergency**

1 **because of**

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

3 **(B) an outbreak of disease or a credible threat of an**
 4 **imminent outbreak of disease; or**

5 **(C) an enemy or terrorist attack or a credible threat of an**
 6 **imminent enemy or terrorist attack; or**

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

9 * **Sec. 48.** AS 15.20.900 is amended by adding new subsections to read:

10 (c) The division shall conduct a routine forensic examination of each precinct
 11 tabulator before and after each election.

12 (d) A precinct tabulator may not be connected to the Internet or a cellular
 13 network from 24 hours before the polls open on election day until 14 days after the
 14 polls close. During this time, all tabulator data shall be loaded from the tabulator onto
 15 a separate storage device and transmitted from a computer that is not connected to the
 16 tabulator.

17 (e) The division shall develop and apply strict chain-of-custody protocols for
 18 precinct tabulators and the separate storage device.

19 * **Sec. 49.** AS 15.20.910 is amended to read:

20 **Sec. 15.20.910. Standards for voting machines and vote tally systems.** The
 21 director may approve a voting machine or vote tally system **that meets the criteria**
 22 **specified in this section** for use in an election in the state **based on** [UPON]
 23 consideration of factors relevant to the administration of state elections. **A** [,
 24 INCLUDING WHETHER THE FEDERAL ELECTION COMMISSION HAS
 25 CERTIFIED THE VOTING MACHINE OR VOTE TALLY SYSTEM TO BE IN
 26 COMPLIANCE WITH THE VOTING SYSTEM STANDARDS APPROVED BY
 27 THE FEDERAL ELECTION COMMISSION AS REQUIRED BY 42 U.S.C.
 28 15481(a)(5) (HELP AMERICA VOTE ACT OF 2002). THE DIRECTOR MAY
 29 ONLY APPROVE A] voting machine or vote tally system **must**

30 **(1) meet the United States Election Assistance Commission's**
 31 **voluntary voting system guidelines;**

1 **(2) be certified by the United States Election Assistance**
 2 **Commission;**

3 **(3) use only open-source software technology or commercial off-**
 4 **the-shelf software and firmware if a voting machine or vote tally system, as**
 5 **applicable, using only open-source software technology or commercial off-the-**
 6 **shelf software and firmware is available; and**

7 **(4) satisfy** [IF THE MACHINE OR SYSTEM SATISFIES] the
 8 requirements of AS 15.15.032(c).

9 * **Sec. 50.** AS 15.20.910 is amended by adding a new subsection to read:

10 (b) In this section,

11 (1) "commercial off-the-shelf" means mass-produced, commercially
 12 available hardware devices, including card readers, printers, scanners, or personal
 13 computers, and the firmware or software products of the hardware devices, including
 14 operating systems or database management systems;

15 (2) "open-source software technology" means the complete source
 16 code for the software is available to the public, under the terms of a license, to use,
 17 modify, or distribute freely without payment of royalties or other consideration.

18 * **Sec. 51.** AS 15.56.030(d) is amended to read:

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

20 (1) includes

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

25 (B) government employment or benefits;

26 (2) does not include

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

31 (B) food and refreshments provided incidental to an activity

1 that is nonpartisan in nature and directed at encouraging persons to vote, or
 2 incidental to a gathering in support of or in opposition to a candidate, political
 3 party, political group, party district committee, organization, or ballot question
 4 or proposition;

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

7 (D) services provided by a person acting as a representative
 8 under AS 15.20.072;

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

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

13 **(G) postage-paid return envelopes required in**
 14 **AS 15.20.030.**

15 * **Sec. 52.** AS 15.56.035(a) is amended to read:

16 (a) A person commits the crime of unlawful interference with voting in the
 17 second degree if the person

18 (1) has an official ballot in possession outside of the voting room
 19 unless the person is an election official or other person authorized by law or local
 20 ordinance, or by the director or chief municipal elections official in a local election;

21 (2) makes, or knowingly has in possession, a counterfeit of an official
 22 election ballot;

23 (3) knowingly solicits or encourages, directly or indirectly, a registered
 24 voter who is no longer qualified to vote under AS 15.05.010, to vote in an election;

25 (4) as a registration official

26 (A) knowingly refuses to register a person who is entitled to
 27 register under AS 15.07.030; or

28 (B) accepts a fee from an applicant applying for registration;

29 (5) violates AS 15.20.081(a) by knowingly supplying or encouraging
 30 or assisting another person to supply to a voter an absentee ballot application form
 31 with a political party or group affiliation indicated if the voter is not already registered

1 as affiliated with that political party or group;

2 (6) knowingly designs, marks, or encourages or assists another person
3 to design or mark an absentee ballot application in a manner that suggests choice of
4 one ballot over another as prohibited by AS 15.20.081(a); [OR]

5 (7) knowingly submits or encourages or assists another person to
6 submit an absentee ballot application to an intermediary who could control or delay
7 the submission of the application to the division of elections or who could gather data
8 from the application form as prohibited by AS 15.20.081(a); or

9 (8) knowingly pays, offers to pay, or causes to be paid money or
10 other valuable thing to a person who is not an election official, mail carrier, or
11 person acting as a representative under AS 15.20.072 to collect a voter's ballot; it
12 is not a violation of this paragraph to provide a person who collects a voter's
13 ballot with

14 (A) materials having a nominal value bearing the name,
15 likeness, or other identification of a candidate, political party, political
16 group, party district committee, or organization, or stating a position on a
17 ballot proposition or question;

18 (B) food and refreshments provided incidental to an
19 activity that is nonpartisan in nature and directed at encouraging persons
20 to vote, or incidental to a gathering in support of or in opposition to a
21 candidate, political party, political group, party district committee,
22 organization, or ballot question or proposition; or

23 (C) care of the person's dependents in connection with the
24 absence of the person from home for the purpose of collecting a ballot.

25 * **Sec. 53.** AS 15.56.035 is amended by adding a new subsection to read:

26 (d) In this section,

27 (1) "collect" means to gain possession or control of a ballot;

28 (2) "other valuable thing"

29 (A) includes

30 (i) an entry in a game of chance in which a prize of
31 money or other present or future pecuniary gain or advantage may be

1 awarded to a participant wherein the total of the prizes offered is
 2 greater than \$2 for a participant with a maximum of \$100; and

3 (ii) government employment or benefits.

4 * **Sec. 54.** AS 15.56.060(a) is amended to read:

5 (a) A person commits the crime of unlawful interference with an election if
 6 the person

7 (1) induces or attempts to induce an election official to fail in the
 8 official's duty by force, threat, intimidation, or offers of reward;

9 (2) intentionally changes, attempts to change, or causes to be changed
 10 an official election document including ballots, tallies, and returns;

11 (3) intentionally delays, attempts to delay, or causes to be delayed the
 12 sending of the certificate, register, ballots, or other materials whether original or
 13 duplicate, required to be sent by AS 15.15.370; [OR]

14 (4) is contracted or employed by the state to print or reproduce in any
 15 manner an official ballot, and the person knowingly

16 (A) personally appropriates, or gives or delivers to, or permits
 17 to be taken by anyone other than a person authorized by the director, official
 18 ballots; or

19 (B) prints or reproduces or has printed or reproduced official
 20 ballots in a form or with a content other than that prescribed by law or as
 21 directed by the director;

22 **(5) intentionally opens or tampers with a signed ballot certificate,**
 23 **sealed ballot envelope, or package of ballots without express authorization from**
 24 **the director; or**

25 **(6) intentionally breaches, hacks, alters, or tampers with election**
 26 **machinery, including a tabulator, a program, a system, a server, or software used**
 27 **to verify identity, count or tabulate, or manage or control an election function.**

28 * **Sec. 55.** AS 15.56 is amended by adding a new section to read:

29 **Sec. 15.56.065. Election fraud.** (a) A person commits the crime of election
 30 fraud if the person violates AS 15.56.060 and that violation changes the outcome of an
 31 election.

1 (b) Election fraud is a class B felony.

2 * **Sec. 56.** AS 15.56.070(a) is amended to read:

3 (a) A person commits the crime of election official misconduct in the first
4 degree if while an election official, the person

5 (1) intentionally fails to perform an election duty or knowingly does an
6 unauthorized act with the intent to affect an election or its results;

7 (2) knowingly permits or makes or attempts to make a false count of
8 election returns; [OR]

9 (3) intentionally conceals, withholds, destroys, or attempts to conceal,
10 withhold, or destroy election returns; or

11 (4) knowingly discloses, shares, or reports to a person who is not
12 an election official election results, returns, or any confidential election data
13 before the polls close on election day.

14 * **Sec. 57.** AS 15.56.199(1) is amended to read:

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

17 * **Sec. 58.** AS 15.80 is amended by adding a new section to read:

18 **Sec. 15.80.006. Cybersecurity.** (a) The director shall, by regulation, provide
19 for a cybersecurity program to defend the voter registration records kept by the
20 division against cyber attacks and data breaches and enable the division to detect and
21 recover from cyber attacks. The program must include cybersecurity training for
22 election officials.

23 (b) The director shall develop a nonpublic list of registered voters whose
24 numerical identifiers have been released in a breach of data maintained by the division
25 and shall exercise caution to protect the list from disclosure.

26 (c) If the division identifies a cyber attack or data breach, the director shall
27 exercise caution to protect election integrity.

28 * **Sec. 59.** AS 15.80 is amended by adding a new section to read:

29 **Sec. 15.80.009. Election worker minimum compensation.** The division shall
30 pay not less than

31 (1) \$15.00 an hour to election board workers for time spent performing

1 their election duties;

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

4 (3) \$15.00 an hour to district absentee ballot review board members,
5 questioned ballot review board members, and absentee voting officials for time spent
6 performing their election duties;

7 (4) \$15.50 an hour to officials at early voting stations for time spent
8 performing their election duties;

9 (5) \$15.00 an hour to ballot tabulation coordinators, polling place field
10 workers, individuals appointed as personal representatives, and absentee and
11 questioned ballot processors for time spent performing their election duties;

12 (6) \$12.50 an hour to extra election day and election night workers and
13 write-in counting team members for time spent performing their election duties.

14 * **Sec. 60.** AS 29.20.380(c) is amended to read:

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

20 * **Sec. 61.** AS 29.26.050 is amended by adding a new subsection to read:

21 (d) Except as a municipality may require for elections held only in specific
22 local election districts or service areas under (b) of this section, a person who has lived
23 within the municipality for at least 30 days, but who has not registered to vote in state
24 elections at a residence address within the municipality at least 30 days before a
25 municipal election, may vote only an absentee, special needs, or questioned ballot in
26 that election. The municipality may not reject the absentee, special needs, or
27 questioned ballot of a qualified voter who registers within 30 days before or on the day
28 of an election on the grounds that the voter is not on the official registration list for the
29 election.

30 * **Sec. 62.** AS 15.10.170(b); AS 15.20.203(i), 15.20.203(j); and AS 29.26.050(a)(3) are
31 repealed.

1 * **Sec. 63.** The uncodified law of the State of Alaska is amended by adding a new section to
2 read:

3 REPORT TO THE LEGISLATURE. The division of elections shall provide a report
4 to the legislature by November 1, 2023, recommending options for expanding early voting in
5 rural communities and low-income neighborhoods. The division shall deliver the report to the
6 senate secretary and the chief clerk of the house of representatives and notify the legislature
7 that the report is available. In this section,

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

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

13 * **Sec. 64.** The uncodified law of the State of Alaska is amended by adding a new section to
14 read:

15 APPLICABILITY. AS 15.56.030(d), as amended by sec. 51 of this Act,
16 AS 15.56.035(a), as amended by sec. 52 of this Act, AS 15.56.060(a), as amended by sec. 54
17 of this Act, AS 15.56.065, enacted by sec. 55 of this Act, and AS 15.56.070(a), as amended
18 by sec. 56 of this Act, apply to offenses committed on or after the effective date of secs. 51,
19 52, and 54 - 56 of this Act.

20 * **Sec. 65.** The uncodified law of the State of Alaska is amended by adding a new section to
21 read:

22 TRANSITION: REGULATIONS. The Department of Revenue and the division of
23 elections may adopt regulations necessary to implement the changes made by this Act. The
24 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the
25 effective date of the law implemented by the regulation.

26 * **Sec. 66.** Sections 49 and 50 of this Act take effect January 1, 2025.

27 * **Sec. 67.** Section 65 of this Act takes effect immediately under AS 01.10.070(c).

28 * **Sec. 68.** Except as provided in secs. 66 and 67 of this Act, this Act takes effect January 1,
29 2023.