

**SENATE BILL NO. 138**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Introduced: 4/25/23

Referred: State Affairs, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to elections; relating to voters; relating to voting; relating to the crime**  
2 **of unlawful interference with voting in the first degree; relating to campaign signs;**  
3 **relating to the reporting of financial and business interests by certain municipal officers**  
4 **and former officers and candidates for municipal office; relating to the Redistricting**  
5 **Board; and providing for an effective date."**

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

7 **\* Section 1.** AS 15.05.010 is amended to read:

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

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

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

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

13 (4) has registered [BEFORE THE ELECTION] as required under

1 AS 15.07 and is not registered to vote in another jurisdiction.

2 \* **Sec. 2.** AS 15.05.020 is amended to read:

3 **Sec. 15.05.020. Rules for determining residence of voter.** For the purpose of  
4 determining residence for voting, the place of residence is governed by the following  
5 rules:

6 (1) A person may not be considered to have gained a residence solely  
7 by reason of presence nor may a person lose it solely by reason of absence while in the  
8 civil or military service of this state or of the United States or of absence because of  
9 marriage to a person engaged in the civil or military service of this state or the United  
10 States, while a student at an institution of learning, while in an institution or asylum at  
11 public expense, while confined in public prison, while engaged in the navigation of  
12 waters of this state or the United States or of the high seas, while residing upon an  
13 Indian or military reservation, or while residing in the Alaska Pioneers' Home or the  
14 Alaska Veterans' Home.

15 (2) The residence of a person is that place in which the person's  
16 **physical** habitation is fixed, and to which, whenever absent, the person has **a definite,**  
17 **articulable, and reasonable plan** [THE INTENTION] to return. If a person resides in  
18 one place, but does business in another, the former is the person's place of residence.  
19 Temporary work sites do not constitute a dwelling place.

20 (3) A change of residence is made only by the act of removal joined  
21 with the intent to remain in another place. There can only be one residence.

22 (4) A person does not lose residence if the person leaves home and  
23 goes to another country, state, or place in this state for temporary purposes only and  
24 with the intent of returning **to the person's residence.**

25 (5) A person does not gain residence in any place to which the person  
26 comes without the present intention to establish a permanent dwelling at that place.

27 (6) A person loses residence in this state if the person **establishes**  
28 **residence in another state or** votes in another state's election, either in person or by  
29 absentee ballot, and will not be eligible to vote in this state until again qualifying  
30 under AS 15.05.010.

31 (7) The term of residence is computed by including the day on which

1 the person's residence begins and excluding the day of election.

2 (8) The address of a voter as it appears on the official voter registration  
 3 record is presumptive evidence of the person's voting residence. This presumption is  
 4 negated [ONLY] if the voter notifies the director in writing of a change of voting  
 5 residence. **A person challenging a voter's residence may rebut the presumption by**  
 6 **providing evidence to the division that the voter has established residence in**  
 7 **another state or place in this state or evidence that the voter is not a resident**  
 8 **under (2) - (7) of this section.**

9 \* **Sec. 3.** AS 15.07.060(a) is amended to read:

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

12 (1) the applicant's name and sex;

13 (2) if issued, the applicant's State of Alaska driver's license number or  
 14 State of Alaska identification card number, or the last four digits of the applicant's  
 15 social security number;

16 (3) the applicant's date of birth;

17 (4) the applicant's Alaska residence address;

18 (5) a statement of whether the applicant has previously been registered  
 19 to vote in another jurisdiction, and, if so, the jurisdiction and the address of the  
 20 previous registration;

21 (6) a declaration that the applicant will be 18 years of age or older  
 22 within 90 days after the date of registration;

23 (7) a declaration that the applicant is a citizen of the United States;

24 (8) the date of application;

25 (9) the applicant's signature or mark, **or an electronic image of the**  
 26 **applicant's signature submitted in the format and according to the process**  
 27 **specified by the division in regulation;**

28 (10) any former name under which the applicant was registered to vote  
 29 in the state;

30 (11) an attestation that the information provided by the applicant in (1)  
 31 - (10) of this subsection is true; [AND]

1 (12) a certification that the applicant understands that a false statement  
 2 on the application may make the applicant subject to prosecution [FOR A  
 3 MISDEMEANOR] under this title or **for perjury under AS 11; and**

4 **(13) an acknowledgment of understanding by the applicant that, if**  
 5 **the applicant is registered to vote in another jurisdiction, the director will notify**  
 6 **the chief elections officer of that jurisdiction that the applicant has registered to**  
 7 **vote in this state and request that the applicant's voter registration be canceled in**  
 8 **that jurisdiction.**

9 \* **Sec. 4.** AS 15.07.060 is amended by adding new subsections to read:

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

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

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

24 (h) An applicant who requests registration within 30 days before an election  
 25 shall supply a declaration stating whether the applicant established residency at least  
 26 30 days before the date of the election in

27 (1) the state;

28 (2) the house district in which the applicant seeks to vote at the  
 29 election.

30 \* **Sec. 5.** AS 15.07.070(c) is amended to read:

31 (c) The names of persons submitting completed registration forms by mail that

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

17 \* Sec. 6. AS 15.07.070(d) is amended to read:

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

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

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

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

10 (c) The director shall transfer the registration of a voter from one precinct to  
 11 another within a house district when requested by the voter. **If a** [THE] request **is**  
 12 [SHALL BE] made **within** 30 [OR MORE] days before [THE] election day **or on**  
 13 **election day, a person transferring registration to a new precinct may vote only**  
 14 **an absentee, special needs, or questioned ballot. The division may not reject the**  
 15 **absentee, special needs, or questioned ballot of a qualified voter who transfers**  
 16 **registration within 30 days before or on the day of an election on the grounds**  
 17 **that the voter is not on the official registration list for the election.** The director  
 18 shall transfer the registration of a voter from one house district to another when  
 19 requested by the voter. The voter must reside in the new house district for at least 30  
 20 days in order to vote **a ballot for that district.**

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

22 (d) A person who claims to be a registered voter, but for whom no evidence of  
 23 registration in the precinct can be found, **may vote only an absentee, special needs,**  
 24 **or questioned ballot. The division may not reject the absentee, 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** [SHALL BE GRANTED THE RIGHT TO VOTE  
 28 IN THE SAME MANNER AS THAT OF A QUESTIONED VOTER AND THE  
 29 BALLOT SHALL BE TREATED IN THE SAME MANNER. THE BALLOT  
 30 SHALL BE CONSIDERED TO BE A "QUESTIONED BALLOT" AND SHALL BE  
 31 SO DESIGNATED. THE DIRECTOR OR THE DIRECTOR'S REPRESENTATIVE

1 SHALL DETERMINE WHETHER THE VOTER IS REGISTERED IN THE HOUSE  
 2 DISTRICT BEFORE COUNTING THE BALLOT. A VOTER WHO HAS FAILED  
 3 TO OBTAIN A TRANSFER AS PROVIDED IN (c) OF THIS SECTION SHALL  
 4 VOTE A "QUESTIONED BALLOT" IN THE PRECINCT IN WHICH THE VOTER  
 5 RESIDES].

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

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

12 \* **Sec. 11.** AS 15.10.170(a) is amended to read:

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

1 or the data processing review board may require each watcher to present written proof  
 2 showing appointment by the precinct party committee, the party district committee,  
 3 the organization or organized group, or the candidate the watcher represents **and that**  
 4 **is signed by the respective chairperson of the precinct party committee, party**  
 5 **district committee, state party chairperson, organization or organized group, or**  
 6 **candidate.**

7 \* **Sec. 12.** AS 15.10 is amended by adding a new section to read:

8 **Sec. 15.10.175. International election observers.** (a) An international election  
 9 observer may be present at a position inside the precinct or counting center that  
 10 affords a full view of the activity of election officials from the time the polls are  
 11 opened until the ballots are finally counted and the results certified by the election  
 12 board or the data processing review board.

13 (b) Notwithstanding AS 15.15.210, AS 15.20.203, and 15.20.207, an  
 14 international election observer may not question a voter or challenge a voter's ballot.

15 (c) In this section, "international election observer" means a person who is

16 (1) not a citizen of the United States;

17 (2) designated by an international membership organization of which  
 18 the United States is a member; and

19 (3) invited by the United States Department of State to be part of a  
 20 mission to observe the election.

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

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

28 \* **Sec. 14.** AS 15.15.170 is amended to read:

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

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



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

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

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

8 \* **Sec. 15.** AS 15.15.280 is amended to read:

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

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

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

15                               (1) requests assistance under AS 15.15.240; or

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

19 \* **Sec. 17.** AS 15.15.410 is amended to read:

20                   **Sec. 15.15.410. Voting multiple ballots [PLURAL VOTING].** Upon a  
21 determination that a person has voted more than once in the same election, the director  
22 shall notify the attorney general. **The division may not count a ballot voted by a**  
23 **person if the division determines, based on evidence, that the person voted more**  
24 **than one ballot with the intent that the division count multiple ballots voted by**  
25 **the person. If the division determines that the person did not intend for the**  
26 **division to count multiple ballots voted by the person and the person voted**

27                               **(1) an absentee, special needs, or questioned ballot and also voted a**  
28 **ballot that is not an absentee, special needs, or questioned ballot, the division**  
29 **shall count the ballot that is not an absentee, special needs, or questioned ballot;**

30                               **(2) more than one absentee, special needs, or questioned ballot and**  
31 **did not vote a ballot that is not an absentee, special needs, or questioned ballot,**

1 **the division shall count the ballot in the first envelope the division reviews.**

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

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

9 (b) The director shall adopt regulations necessary to implement and administer  
10 (a) of this section. The regulations must include a procedure for selecting which  
11 election results to audit and for notifying a candidate in a race subject to a risk-limiting  
12 audit of the audit. In adopting regulations under this subsection, the director shall  
13 consult recognized statistical experts, equipment vendors, and municipal clerks and  
14 shall consider best practices for conducting risk-limiting audits.

15 (c) A candidate with a direct interest in a risk-limiting audit who seeks to  
16 protect the candidate's interests during the audit may provide, at the candidate's own  
17 expense, one or more observers to witness the audit.

18 \* **Sec. 19.** AS 15.20.030 is amended to read:

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

1 RECORDING THE DATE THE ENVELOPE WAS SEALED AND WITNESSED].  
 2 The envelope with the voter's certificate must include a notice that false statements  
 3 made by the voter [OR BY THE ATTESTING OFFICIAL OR WITNESS] on the  
 4 certificate are punishable by law.

5 \* **Sec. 20.** AS 15.20.072 is amended by adding a new subsection to read:

6 (h) If a voter and the voter's representative satisfy the requirements of (d) of  
 7 this section, the division may not reject a voter's special needs ballot based on an error  
 8 by an election official or representative on the register under (c) or an error by a  
 9 representative under (d) of this section.

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

11 (d) Upon receipt of an absentee ballot by mail, the voter [, IN THE  
 12 PRESENCE OF A NOTARY PUBLIC, COMMISSIONED OFFICER OF THE  
 13 ARMED FORCES INCLUDING THE NATIONAL GUARD, DISTRICT JUDGE  
 14 OR MAGISTRATE, UNITED STATES POSTAL OFFICIAL, REGISTRATION  
 15 OFFICIAL, OR OTHER PERSON QUALIFIED TO ADMINISTER OATHS,] may  
 16 proceed to mark the ballot in secret, to place the ballot in the secrecy sleeve, to place  
 17 the secrecy sleeve in the envelope provided, and to sign the voter's certificate on the  
 18 envelope. The [IN THE PRESENCE OF AN OFFICIAL LISTED IN THIS  
 19 SUBSECTION WHO SHALL SIGN AS ATTESTING OFFICIAL AND SHALL  
 20 DATE THE SIGNATURE. IF NONE OF THE OFFICIALS LISTED IN THIS  
 21 SUBSECTION IS REASONABLY ACCESSIBLE, AN ABSENTEE VOTER  
 22 SHALL SIGN THE VOTER'S CERTIFICATE IN THE PRESENCE OF AN  
 23 INDIVIDUAL WHO IS 18 YEARS OF AGE OR OLDER, WHO SHALL SIGN AS  
 24 A WITNESS AND ATTEST TO THE DATE ON WHICH THE VOTER SIGNED  
 25 THE CERTIFICATE IN THE INDIVIDUAL'S PRESENCE, AND, IN ADDITION,  
 26 THE] voter shall certify, as prescribed in AS 09.63.020, under penalty of perjury, that  
 27 the statements in the voter's certification are true.

28 \* **Sec. 22.** AS 15.20.081(e) is amended to read:

29 (e) An absentee ballot must be marked on or before the date of the election.  
 30 Except as provided in (h) of this section, a voter who returns the absentee ballot by  
 31 mail, whether provided to the voter by mail or by electronic transmission, shall use a

1 mail service at least equal to first class and mail the ballot not later than the day of the  
 2 election to the election supervisor for the house district in which the voter seeks to  
 3 vote. Except as provided in AS 15.20.480, the ballot may not be counted unless it is  
 4 received by the close of business on the 10th day after the election. [IF THE BALLOT  
 5 IS POSTMARKED, IT MUST BE POSTMARKED ON OR BEFORE ELECTION  
 6 DAY.] After the day of the election, ballots may not be accepted unless received by  
 7 mail. **A ballot received after the day of the election that is not postmarked or is**  
 8 **postmarked after the day of the election may not be counted unless the ballot**  
 9 **envelope is marked with a United States Postal Service tracking barcode or a**  
 10 **division of elections ballot tracking barcode sufficient to verify that the ballot was**  
 11 **mailed on or before the day of the election.**

12 \* **Sec. 23.** AS 15.20.081 is amended by adding new subsections to read:

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

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

18 or

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

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

27 \* **Sec. 24.** AS 15.20.201(b) is amended to read:

28 (b) Counting of absentee ballots that have been reviewed shall begin **not**  
 29 **fewer than seven days preceding** [AT 8:00 P.M., LOCAL TIME, ON] the day of the  
 30 election at places designated by each election supervisor and shall continue until all  
 31 absentee ballots reviewed and eligible for counting have been counted. The counting

1 teams shall report the **first** count of absentee ballots to the district absentee ballot  
 2 counting board **not later than** [. AN ELECTION SUPERVISOR OR AN ELECTION  
 3 OFFICIAL MAY NOT COUNT ABSENTEE BALLOTS BEFORE] 8:00 p.m., local  
 4 time, on the day of the election. Counting of the absentee ballots shall continue at  
 5 times designated by the election supervisor until all absentee ballots are counted.

6 \* **Sec. 25.** AS 15.20.203(b) is amended to read:

7 (b) An absentee ballot **must be rejected** [MAY NOT BE COUNTED] if

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

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

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

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

21 **(A)** is [NOT] postmarked **after** [ON OR BEFORE] the date of  
 22 the election;

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

26 **(C) is signed after the date of the election;**

27 **(3)** [(5)] after the day of election, the ballot was delivered by a means  
 28 other than mail;

29 **(4)** [OR (6)] the voter voted

30 (A) in person and is a

31 (i) first-time voter who initially registered by mail or by

1 facsimile or other electronic transmission approved by the director  
 2 under AS 15.07.050, has not provided the identification required by  
 3 AS 15.15.225(a), was not eligible for waiver of the identification  
 4 requirement under AS 15.15.225(b), and has not provided the  
 5 identifiers required in AS 15.07.060(a)(2) and (3) that can be verified  
 6 through state agency records described in AS 15.07.055(e); or

7 (ii) voter other than one described in (i) of this  
 8 subparagraph, did not provide identification described in  
 9 AS 15.15.225(a), was not personally known by the election official,  
 10 and has not provided the identifiers required in AS 15.07.060(a)(2) and  
 11 (3); or

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

17 (i) driver's license, state identification card, current and  
 18 valid photo identification, birth certificate, passport, or hunting or  
 19 fishing license; or

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

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

27 \* **Sec. 26.** AS 15.20.203 is amended by adding a new subsection to read:

28 (k) Except for a voter who voted absentee in-person, the district absentee  
 29 counting board shall determine whether a voter's signature on the certificate is  
 30 consistent with the voter's signature in voter registration records using a signature  
 31 verification process that includes signature comparison software, according to a

1 procedure provided in regulations adopted by the director. An election official may not  
 2 determine that the signature on a voter's return envelope does not match the signature  
 3 stored in the voter's registration record solely based on substitution of initials or use of  
 4 a common nickname. The director shall provide training in signature comparison and  
 5 the use of signature comparison software to election officials who compare signatures  
 6 under this section.

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

8 **Sec. 15.20.215. Rules for challenging ballot.** The director shall adopt by  
 9 regulation a procedure and time frame for a campaign or organization or organized  
 10 group that sponsors or opposes an initiative, referendum, or question to challenge the  
 11 decision to count or not count an absentee, special needs, or questioned ballot. The  
 12 procedure must provide at least 24 hours to submit a challenge.

13 \* **Sec. 28.** AS 15.20.220(b) is amended to read:

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

18 \* **Sec. 29.** AS 15.20 is amended by adding new sections to read:

19 **Sec. 15.20.221. Ballot-tracking system.** (a) The director shall establish an  
 20 online multi-factor authentication ballot-tracking system. The director may procure the  
 21 system from a third party. The system must be designed to allow a voter to easily use  
 22 the system through a mobile electronic device. The system must allow a voter to

- 23 (1) confirm that the voter's ballot has been sent by the division;
- 24 (2) track the date of the ballot's delivery to the voter;
- 25 (3) confirm the division's receipt of the voter's ballot;
- 26 (4) determine whether the voter's certificate has been reviewed;
- 27 (5) determine whether the voter's ballot has been counted; and
- 28 (6) provide the information necessary to cure a rejected ballot.

29 (b) The online multi-factor authentication ballot-tracking system must

- 30 (1) use multi-factor authentication to verify a voter's identity; and
- 31 (2) indicate to a voter

1 (A) the process by which the voter may cure the lack of  
2 signature or verify the voter's identity, if the signature on the voter's ballot was  
3 missing; and

4 (B) the reason the voter's ballot was not counted, if the ballot  
5 was not counted.

6 (c) The division may not charge a voter a fee to use the online multi-factor  
7 authentication ballot-tracking system.

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

22 (b) A notice of deficiency must include an explanation of the need for a  
23 signature for verification purposes. The notice must include a form for the voter to  
24 confirm that the voter returned a ballot to the division, provide a copy of a form of  
25 identification accepted by the division under AS 15.15.225(a), and provide a signature  
26 for verification. The director shall provide a printed copy of the form with the notice  
27 of deficiency mailed to the voter. The director shall also make the form available in a  
28 format that can be completed and returned electronically.

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

31 (1) the voter returns the form sent with the notice of deficiency, the



1 division receives the form within 14 days after election day, and the form confirms  
2 that the voter returned a ballot to the division;

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

5 (3) the ballot is otherwise valid.

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

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

15 \* **Sec. 30.** AS 15.20 is amended by adding a new section to article 4 to read:

16 **Sec. 15.20.810. Drop boxes for elections conducted by mail.** The director  
17 shall, if practicable, provide secure ballot drop boxes for elections conducted by mail.  
18 The director shall adopt regulations governing the use and location of ballot drop  
19 boxes. If practicable, the director shall provide a drop box at each division regional  
20 office and, for a municipality with over 20,000 residents, provide one drop box for  
21 each 20,000 residents in locations chosen to ensure that drop boxes are accessible to  
22 the most possible voters. When selecting drop box locations, the director may consult  
23 with municipalities, school districts, tribal organizations, and nonpartisan civic  
24 organizations. The director may provide a drop box in a municipality with fewer than  
25 20,000 residents. The director shall include in the regulations the criteria for selecting  
26 the locations of drop boxes, the security requirements for the drop boxes, and a  
27 requirement that drop boxes be open 24 hours a day in the 10 days before an election  
28 day. The regulations must require that each drop box be open on the election day until  
29 8:00 p.m.

30 \* **Sec. 31.** AS 15.56.030(d) is amended to read:

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

1 (1) includes

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

6 (B) government employment or benefits;

7 (2) does not include

8 (A) materials having a nominal value bearing the name,  
9 likeness, or other identification of a candidate, political party, political group,  
10 party district committee, or organization, or stating a position on a ballot  
11 proposition or question;

12 (B) food and refreshments provided incidental to an activity  
13 that is nonpartisan in nature and directed at encouraging persons to vote, or  
14 incidental to a gathering in support of or in opposition to a candidate, political  
15 party, political group, party district committee, organization, or ballot question  
16 or proposition;

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

19 (D) services provided by a person acting as a representative  
20 under AS 15.20.072;

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

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

25 **(G) postage-paid return envelopes required in**  
26 **AS 15.20.030.**

27 \* **Sec. 32.** AS 19.25.105(a) is amended to read:

28 (a) Outdoor advertising may not be erected or maintained within 660 feet of  
29 the nearest edge of the right-of-way and visible from the main-traveled way of the  
30 interstate, primary, or secondary highways in this state except the following:

31 (1) directional and other official signs and notices **that** [WHICH]

1 include [, BUT ARE NOT LIMITED TO,] signs and notices pertaining to natural  
 2 wonders, scenic and historic attractions, which are required or authorized by law, and  
 3 which shall conform to federal standards for interstate and primary systems;

4 (2) signs, displays, and devices advertising the sale or lease of property  
 5 upon which they are located or advertising activities conducted on the property;

6 (3) signs determined by the state, subject to concurrence of the United  
 7 States Department of Transportation, to be landmark signs, including signs on farm  
 8 structures or natural surfaces of historic or artistic significance, the preservation of  
 9 which would be consistent with the provisions of this chapter;

10 (4) directional signs and notices pertaining to schools;

11 (5) advertising on bus benches or bus shelters, and adjacent trash  
 12 receptacles, if the state determines that the advertising conforms to local, state, and  
 13 federal standards for interstate and primary highways;

14 **(6) temporary political campaign signs not larger than 32 square**  
 15 **feet in size displayed on private property if the owner or resident of the property**  
 16 **is not being compensated for the display, the sign is not a risk to the public, and**  
 17 **the sign is outside of an interstate, primary, or secondary highway right-of-way.**

18 \* **Sec. 33.** AS 24.45.091 is amended to read:

19 **Sec. 24.45.091. Publication of reports.** Copies of the statements and reports  
 20 filed under this chapter shall be made available to the public at the commission's  
 21 **offices and on the commission's Internet website** [CENTRAL OFFICE, THE  
 22 OFFICE OF THE LIEUTENANT GOVERNOR, THE LEGISLATIVE REFERENCE  
 23 LIBRARY OF THE LEGISLATIVE AFFAIRS AGENCY, AND AT THE  
 24 COMMISSION'S DISTRICT OFFICES PRESCRIBED IN AS 15.13.020(j)] as soon  
 25 as practicable after each reporting period.

26 \* **Sec. 34.** AS 24.45.111(b) is amended to read:

27 (b) The commission shall preserve the statements and reports required to be  
 28 filed under this chapter for a period of six years from the date of filing. **Copies** [IF  
 29 THE COMMISSION'S CENTRAL OFFICE IS NOT IN THE STATE CAPITAL,  
 30 COPIES] of all statements and reports filed under this chapter shall be maintained in  
 31 **the commission's offices and be made available on the commission's Internet**

1 website [AN OFFICE ESTABLISHED BY THE COMMISSION IN THE STATE  
2 CAPITAL OR IN THE OFFICE OF THE LIEUTENANT GOVERNOR].

3 \* **Sec. 35.** AS 29.26.050 is amended by adding a new subsection to read:

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

13 \* **Sec. 36.** AS 39.50.020(b) is amended to read:

14 (b) A public official, [OR] former public official, **or candidate for municipal**  
15 **office** [OTHER THAN AN ELECTED OR APPOINTED MUNICIPAL OFFICER]  
16 shall file the statement with the Alaska Public Offices Commission. Candidates for the  
17 office of governor and lieutenant governor and, if the candidate is not subject to  
18 AS 24.60, the legislature shall file the statement under AS 15.25.030. **The Alaska**  
19 **Public Offices Commission shall provide copies of the statements filed by**  
20 **municipal** [MUNICIPAL] officers, former municipal officers, and candidates for  
21 elective municipal office **to** [SHALL FILE WITH] the **applicable** municipal clerk or  
22 other municipal official designated to receive **the statements** [THEIR FILING FOR  
23 OFFICE]. All statements required to be filed under this chapter are public records.

24 \* **Sec. 37.** AS 39.50.200(b) is amended by adding a new paragraph to read:

25 (65) Redistricting Board.

26 \* **Sec. 38.** AS 44.62.310(h)(3) is amended to read:

27 (3) "public entity" means an entity of the state or of a political  
28 subdivision of the state including an agency, a board or commission, **the**  
29 **Redistricting Board**, the University of Alaska, a public authority or corporation, a  
30 municipality, a school district, and other governmental units of the state or a political  
31 subdivision of the state; it does not include the court system or the legislative branch

1 of state government.

2 \* **Sec. 39.** AS 15.10.170(b); AS 15.20.203(i), 15.20.203(j); and AS 29.26.050(a)(3) are  
3 repealed.

4 \* **Sec. 40.** The uncodified law of the State of Alaska is amended by adding a new section to  
5 read:

6 **APPLICABILITY.** AS 15.56.030(d), as amended by sec. 31 of this Act, applies to  
7 offenses committed on or after the effective date of sec. 31 of this Act.

8 \* **Sec. 41.** The uncodified law of the State of Alaska is amended by adding a new section to  
9 read:

10 **TRANSITION: REGULATIONS.** The Alaska Public Offices Commission and the  
11 division of elections may adopt regulations necessary to implement the changes made by this  
12 Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not  
13 before the effective date of the law implemented by the regulation.

14 \* **Sec. 42.** Section 41 of this Act takes effect immediately under AS 01.10.070(c).

15 \* **Sec. 43.** Except as provided in sec. 42 of this Act, this Act takes effect January 1, 2024.