

**CS FOR SENATE BILL NO. 138(FIN)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

**BY THE SENATE FINANCE COMMITTEE**

**Offered: 5/13/23**

**Referred: Today's Calendar**

**Sponsor(s): SENATE STATE AFFAIRS COMMITTEE**

**A BILL**

**FOR AN ACT ENTITLED**

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

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

8 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
9 to read:

10 LEGISLATIVE INTENT: TRANSPARENCY. It is the intent of the legislature that  
11 the division of elections, in order to increase transparency and ensure trust in the integrity of  
12 the state's vote counting and tabulation process and to allow members of the public to verify  
13 the accuracy of ranked-choice tabulations,

1 (1) in accordance with national best practices for reporting results of ranked-  
 2 choice voting elections, include preliminary ranked-choice tabulations when releasing  
 3 preliminary election results; and

4 (2) periodically throughout the vote counting process post updated cast vote  
 5 record files that include anonymized records indicating the ranking order of each ballot cast.

6 \* **Sec. 2.** AS 15.05.010 is amended to read:

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

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

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

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

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

14 \* **Sec. 3.** AS 15.05.020 is amended to read:

15 **Sec. 15.05.020. Rules for determining residence of voter.** For the purpose of  
 16 determining residence for voting, the place of residence is governed by the following  
 17 rules:

18 (1) A person may not be considered to have gained a residence solely  
 19 by reason of presence nor may a person lose it solely by reason of absence while in the  
 20 civil or military service of this state or of the United States or of absence because of  
 21 marriage to a person engaged in the civil or military service of this state or the United  
 22 States, while a student at an institution of learning, while in an institution or asylum at  
 23 public expense, while confined in public prison, while engaged in the navigation of  
 24 waters of this state or the United States or of the high seas, while residing upon an  
 25 Indian or military reservation, or while residing in the Alaska Pioneers' Home or the  
 26 Alaska Veterans' Home.

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

1 (3) [A CHANGE OF RESIDENCE IS MADE ONLY BY THE ACT  
2 OF REMOVAL JOINED WITH THE INTENT TO REMAIN IN ANOTHER  
3 PLACE.] There can only be one residence.

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

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

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

13 (7) The term of residence is computed by including the day on which  
14 the person's residence begins and excluding the day of election.

15 (8) The address of a voter as it appears on the official voter registration  
16 record is presumptive evidence of the person's voting residence. This presumption is  
17 negated [ONLY] if the voter notifies the director in writing of a change of voting  
18 residence. **When a voter's qualification is questioned under AS 15.15.210 or**  
19 **challenged in accordance with the procedure adopted in regulation under**  
20 **AS 15.20.215, the presumption may be rebutted by providing evidence to the**  
21 **division that the voter has established residence in another state or place in this**  
22 **state or evidence that the voter is not a resident under (2) - (7) of this section.**

23 \* **Sec. 4.** AS 15.07.060(a) is amended to read:

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

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

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

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

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

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

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

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

7 (8) the date of application;

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

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

13 (11) an attestation that the information provided by the applicant in (1)  
 14 - (10) of this subsection is true; and

15 (12) a certification that the applicant understands that a false statement  
 16 on the application may make the applicant subject to prosecution for a misdemeanor  
 17 under this title or AS 11.

18 \* **Sec. 5.** AS 15.07.060 is amended by adding new subsections to read:

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

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

31 (2) the division is no longer required under 52 U.S.C. 10503, as

1 amended, to print ballots and election materials in the designated language.

2 (h) An applicant who requests registration within 30 days before an election  
3 shall supply a declaration stating whether the applicant established residency at least  
4 30 days before the date of the election in

5 (1) the state;

6 (2) the house district in which the applicant seeks to vote at the  
7 election.

8 \* **Sec. 6.** AS 15.07.070(c) is amended to read:

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

26 \* **Sec. 7.** AS 15.07.070(d) is amended to read:

27 (d) Qualified voters may register in person before a registration official or  
28 through a voter registration agency at any time throughout the year. **A qualified voter**  
29 **who registers** [, EXCEPT THAT A PERSON REGISTERING] within 30 days **before**  
30 **or on the day of an election may vote only an absentee, special needs, or**  
31 **questioned ballot** [PRECEDING AN ELECTION IS NOT ELIGIBLE TO VOTE] at

1 that election. **The division may not reject the absentee, special needs, or**  
 2 **questioned ballot of a qualified voter who registers within 30 days before or on**  
 3 **the day of an election on the grounds that the voter is not on the official**  
 4 **registration list for the election.** Upon receipt and approval of the registration forms,  
 5 the director or the election supervisor shall forward to the voter an acknowledgment in  
 6 the form of a registration card, and the voter's name shall immediately be placed on  
 7 the master register. Names of persons registering 30 or more days before an election  
 8 shall be placed on the official registration list for that election.

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

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

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

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

30 \* **Sec. 10.** AS 15.07.090(d) is amended to read:

31 (d) A person who claims to be a registered voter, but for whom no evidence of

1 registration in the precinct can be found, **may vote only an absentee, special needs,**  
 2 **or questioned ballot. The division may not reject the absentee, special needs, or**  
 3 **questioned ballot of a qualified voter who registers within 30 days before or on**  
 4 **the day of an election on the grounds that the voter is not on the official**  
 5 **registration list for the election** [SHALL BE GRANTED THE RIGHT TO VOTE  
 6 IN THE SAME MANNER AS THAT OF A QUESTIONED VOTER AND THE  
 7 BALLOT SHALL BE TREATED IN THE SAME MANNER. THE BALLOT  
 8 SHALL BE CONSIDERED TO BE A "QUESTIONED BALLOT" AND SHALL BE  
 9 SO DESIGNATED. THE DIRECTOR OR THE DIRECTOR'S REPRESENTATIVE  
 10 SHALL DETERMINE WHETHER THE VOTER IS REGISTERED IN THE HOUSE  
 11 DISTRICT BEFORE COUNTING THE BALLOT. A VOTER WHO HAS FAILED  
 12 TO OBTAIN A TRANSFER AS PROVIDED IN (c) OF THIS SECTION SHALL  
 13 VOTE A "QUESTIONED BALLOT" IN THE PRECINCT IN WHICH THE VOTER  
 14 RESIDES].

15 \* **Sec. 11.** AS 15.07.130(a) is amended to read:

16 (a) Periodically, at times of the director's choosing, but **not** [NO] less  
 17 frequently than in January of each calendar year, the director shall examine the master  
 18 register maintained under AS 15.07.120 and shall send, by **forwardable**  
 19 [NONFORWARDABLE] mail to the voter's registration mailing address, **and to the**  
 20 **voter's electronic mail address, if available**, a notice requesting address  
 21 confirmation or correction. **The notice must explain that the voter's registration**  
 22 **will be inactivated unless the voter responds to the notice within 45 days after the**  
 23 **date the notice is sent. The director shall send the notice** to each voter

24 (1) whose mail from the division has been returned to the division in  
 25 the two years immediately preceding the examination of the register;

26 (2) who has not contacted the division in the two years immediately  
 27 preceding the examination of the register **and** [; OR (3)] who has not voted or  
 28 appeared to vote in the two **years** [GENERAL ELECTIONS] immediately preceding  
 29 the examination of the register; **or**

30 **(3) who, after registering to vote in this state and in the two years**  
 31 **immediately preceding the examination of the register, has**

1 (A) registered to vote in another state;

2 (B) received a driver's license from another state;

3 (C) registered a vehicle in another state;

4 (D) received public assistance from another state;

5 (E) served on a jury in another state;

6 (F) obtained a resident hunting or fishing license in another  
7 state;

8 (G) paid the state resident tuition rate for a public  
9 university in another state;

10 (H) received a homestead or residential property tax  
11 exemption in another state; or

12 (I) received a benefit available only to residents of another  
13 state.

14 \* Sec. 12. AS 15.07.130(b) is amended to read:

15 (b) If a registered voter **does** [HAS] not **respond to a notice sent under (a) of**  
16 **this section within 45 days after the date the notice is sent, the director shall**  
17 **inactivate the voter's registration** [, WITHIN THE PRECEDING FOUR  
18 CALENDAR YEARS, CONTACTED THE DIVISION AND HAS NEITHER  
19 VOTED NOR APPEARED TO VOTE IN A LOCAL, REGIONAL SCHOOL  
20 BOARD, PRIMARY, SPECIAL, OR GENERAL ELECTION DURING THE LAST  
21 FOUR CALENDAR YEARS AND A NOTICE SENT TO THE VOTER UNDER (a)  
22 OF THIS SECTION WAS RETURNED AS UNDELIVERABLE, THE VOTER  
23 SHALL BE ADVISED BY A NOTICE SENT BY FORWARDABLE MAIL TO THE  
24 VOTER'S LAST KNOWN ADDRESS THAT REGISTRATION WILL BE  
25 INACTIVATED UNLESS THE VOTER RESPONDS TO THE NOTICE NO  
26 LATER THAN 45 DAYS AFTER THE DATE OF THE NOTICE SENT UNDER  
27 THIS SECTION]. The director shall maintain on the master register the name of a  
28 voter whose registration is inactivated. The director shall cancel a voter's inactive  
29 registration in accordance with the procedures set out in 42 U.S.C. 1973gg-6 (sec. 8,  
30 National Voter Registration Act of 1993) after the second general election that occurs  
31 after the registration becomes inactive if the voter does not contact the division or vote



1 or appear to vote.

2 \* **Sec. 13.** AS 15.07.130(d) is amended to read:

3 (d) The notice sent under (a) [(b)] of this section must include a postage  
4 prepaid and pre-addressed return card on which the voter may state the voter's current  
5 address. The notice must indicate

6 (1) that the voter should return the card not later than 45 days after the  
7 date of the notice if the voter did not change residence;

8 (2) that failure to return the card by the 45-day deadline could result in  
9 removal of the voter's name from the official registration list for a subsequent election;

10 (3) that the voter's registration will be cancelled if the voter does not  
11 contact the division during, or vote or appear to vote in an election held during, the  
12 period beginning on the date of the notice and ending on the day after the last day of  
13 the fourth calendar year that occurs after the date of notice; and

14 (4) how the voter can continue to be eligible to vote if the voter has  
15 changed residence.

16 \* **Sec. 14.** AS 15.07 is amended by adding a new section to read:

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

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 question  
31 [RECALL] may have one or more [PERSONS AS] watchers at the polls and counting

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

17 \* **Sec. 16.** AS 15.13.020(j) is amended to read:

18 (j) The commission shall establish **offices** [AN OFFICE, WHICH MAY BE  
 19 CALLED A REGIONAL OFFICE, IN EACH SENATE DISTRICT IN THE STATE  
 20 TO KEEP ON FILE FOR PUBLIC INSPECTION COPIES OF ALL REPORTS  
 21 FILED WITH THE COMMISSION BY CANDIDATES FOR STATEWIDE OFFICE  
 22 AND BY CANDIDATES FOR LEGISLATIVE OFFICE IN THAT DISTRICT;  
 23 HOWEVER, WHERE ONE MUNICIPALITY CONTAINS MORE THAN ONE  
 24 HOUSE DISTRICT, ONLY ONE COMMISSION OFFICE SHALL BE  
 25 ESTABLISHED IN THAT MUNICIPALITY. THE REGIONAL OFFICE SHALL  
 26 MAKE ALL FORMS AND PERTINENT MATERIAL AVAILABLE TO  
 27 CANDIDATES. ALL REPORTS SHALL BE FILED BY CANDIDATES, GROUPS,  
 28 AND INDIVIDUALS DIRECTLY WITH THE COMMISSION'S CENTRAL  
 29 DISTRICT OFFICE. THE COMMISSION SHALL ENSURE THAT COPIES OF  
 30 ALL REPORTS BY STATEWIDE AND LEGISLATIVE CANDIDATES IN EACH  
 31 SENATE DISTRICT ARE FORWARDED PROMPTLY TO THAT DISTRICT OR

1 REGIONAL OFFICE].

2 \* **Sec. 17.** AS 15.15.060 is amended by adding a new subsection to read:

3 (f) At each polling place, the division shall provide language assistance as  
4 required under 52 U.S.C. 10503. An election supervisor shall post at each polling  
5 place information regarding the availability of language assistance in English and all  
6 other languages for which language assistance is required to be provided in the  
7 jurisdiction under federal law.

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

9 **Sec. 15.15.205. Questioning of voter who requested absentee ballot.** If a  
10 voter appears on the official registration list as having received or voted an absentee  
11 ballot, the election official shall affirmatively advise the voter that the voter may  
12 surrender the absentee ballot for destruction or cast a questioned ballot. If the voter  
13 does not surrender the absentee ballot, the voter shall be allowed to vote a questioned  
14 ballot.

15 \* **Sec. 19.** AS 15.15.370 is amended to read:

16 **Sec. 15.15.370. Completion of ballot count; certificate.** When the count of  
17 ballots is completed, and in no event later than the day after the election, the election  
18 board shall make a certificate in duplicate of the results. The certificate includes the  
19 number of votes cast for each candidate, including, for a candidate in a general  
20 election, the number of votes at each **ranking** [ROUND OF THE RANKED-CHOICE  
21 TABULATION PROCESS] under AS 15.15.350, the number of votes for and against  
22 each proposition, yes or no on each question, and any additional information  
23 prescribed by the director. The election board shall, immediately upon completion of  
24 the certificate or as soon thereafter as the local mail service permits, send in one sealed  
25 package to the director one copy of the certificate and the register. In addition, all  
26 ballots properly cast shall be mailed to the director in a separate, sealed package. Both  
27 packages, in addition to an address on the outside, shall clearly indicate the precinct  
28 from which they come. Each board shall, immediately upon completion of the  
29 certification and as soon thereafter as the local mail service permits, send the duplicate  
30 certificate to the respective election supervisor. The director may authorize election  
31 boards in precincts in those areas of the state where distance and weather make mail

1 communication unreliable to forward their election results by telephone or radio. The  
 2 director may authorize the unofficial totaling of votes on a regional basis by election  
 3 supervisors, tallying the votes as indicated on duplicate certificates. To ensure  
 4 adequate protection, the director shall prescribe the manner in which the ballots,  
 5 registers, and all other election records and materials are thereafter preserved,  
 6 transferred, and destroyed.

7 \* **Sec. 20.** AS 15.15.370 is amended by adding a new subsection to read:

8 (b) Each day the director releases unofficial totals of election results for a  
 9 general election, the director shall also release an updated ranked-choice tabulation.

10 \* **Sec. 21.** AS 15.15 is amended by adding a new section to read:

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

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

23 (c) A candidate and an organization or organized group that sponsors or  
 24 opposes a ballot proposition or question seeking to protect the direct interests of the  
 25 candidate, organization, or organized group during a risk-limiting audit may provide,  
 26 at the candidate's, organization's, or organized group's own expense, one or more  
 27 observers to witness the audit.

28 \* **Sec. 22.** AS 15.20.030 is amended to read:

29 **Sec. 15.20.030. Preparation of ballots, envelopes, and other material.** The  
 30 director shall provide ballots for use as absentee ballots in all districts. The director  
 31 shall provide a secrecy sleeve in which the voter shall initially place the marked ballot,

1 and shall provide **a postage-paid return** [AN] envelope with the prescribed voter's  
 2 certificate on it, in which the secrecy sleeve with ballot enclosed shall be placed. The  
 3 director shall prescribe the form of and prepare the voter's certificate, envelopes, and  
 4 other material used in absentee voting. The voter's certificate shall include a  
 5 declaration, for use when required, that the voter is a qualified voter in all respects, a  
 6 blank for the voter's signature, **and a space for recording the date that the voter**  
 7 **executed the certificate. An envelope may not identify a voter's party affiliation** [,  
 8 A CERTIFICATION THAT THE AFFIANT PROPERLY EXECUTED THE  
 9 MARKING OF THE BALLOT AND GAVE THE VOTER'S IDENTITY, BLANKS  
 10 FOR THE ATTESTING OFFICIAL OR WITNESS, AND A PLACE FOR  
 11 RECORDING THE DATE THE ENVELOPE WAS SEALED AND WITNESSED].  
 12 The envelope with the voter's certificate must include a notice that false statements  
 13 made by the voter [OR BY THE ATTESTING OFFICIAL OR WITNESS] on the  
 14 certificate are punishable by law.

15 \* **Sec. 23.** AS 15.20.072 is amended by adding a new subsection to read:

16 (h) If a voter satisfies the requirements of (d) of this section, the division may  
 17 not reject a voter's special needs ballot based on an error by an election official or  
 18 representative on the register under (c) or an error by a representative under (d) of this  
 19 section.

20 \* **Sec. 24.** AS 15.20.081(d) is amended to read:

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

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

7 \* **Sec. 25.** AS 15.20.081(e) is amended to read:

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

23 \* **Sec. 26.** AS 15.20.081 is amended by adding new subsections to read:

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

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

29 or

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

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

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

8 (b) Counting of absentee ballots that have been reviewed shall begin **not**  
 9 **fewer than seven days preceding** [AT 8:00 P.M., LOCAL TIME, ON] the day of the  
 10 election at places designated by each election supervisor and shall continue until all  
 11 absentee ballots reviewed and eligible for counting have been counted. The counting  
 12 teams shall report the **first** count of absentee ballots to the district absentee ballot  
 13 counting board **not later than** [. AN ELECTION SUPERVISOR OR AN ELECTION  
 14 OFFICIAL MAY NOT COUNT ABSENTEE BALLOTS BEFORE] 8:00 p.m., local  
 15 time, on the day of the election. Counting of the absentee ballots shall continue at  
 16 times designated by the election supervisor until all absentee ballots are counted.

17 \* **Sec. 28.** AS 15.20.203(b) is amended to read:

18 (b) An absentee ballot **must be rejected** [MAY NOT BE COUNTED] if  
 19 (1) the voter has failed to properly execute the certificate;  
 20 (2) [AN OFFICIAL OR THE WITNESSES AUTHORIZED BY LAW  
 21 TO ATTEST THE VOTER'S CERTIFICATE FAIL TO EXECUTE THE  
 22 CERTIFICATE, EXCEPT THAT AN ABSENTEE BALLOT CAST IN PERSON  
 23 AND ACCEPTED BY AN ABSENTEE VOTING OFFICIAL OR ELECTION  
 24 SUPERVISOR MAY BE COUNTED DESPITE FAILURE OF THE ABSENTEE  
 25 VOTING OFFICIAL OR ELECTION SUPERVISOR TO PROPERLY SIGN AND  
 26 DATE THE VOTER'S CERTIFICATE AS ATTESTING OFFICIAL AS REQUIRED  
 27 UNDER AS 15.20.061(c);  
 28 (3) THE BALLOT IS NOT ATTESTED ON OR BEFORE THE  
 29 DATE OF THE ELECTION;  
 30 (4) the ballot **envelope and certificate**, if **delivered by mail after the**  
 31 **day of the election** [POSTMARKED],

1                    **(A)** is not postmarked **or is postmarked after** [ON OR  
 2 BEFORE] the date of the election **and is not marked with a United States**  
 3 **Postal Service tracking barcode sufficient to verify that the ballot was**  
 4 **mailed on or before the day of the election or with a division of elections**  
 5 **ballot tracking barcode sufficient to verify that the ballot was mailed on or**  
 6 **before the day of the election;**

7                    **(B)** has a **United States Postal Service tracking barcode**  
 8 **verifying that the ballot was mailed after the date of the election 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 executed **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. 29.** 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. 30.** AS 15.20 is amended by adding a new section to read:

24 **Sec. 15.20.215. Rules for challenging ballot.** The director shall adopt by  
25 regulation a procedure and time frame for a person present at the ballot counting  
26 review to challenge the decision of whether to count an absentee, special needs, or  
27 questioned ballot. The procedure must provide a reasonable amount of time to submit  
28 a challenge.

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

30 (b) The state review board shall review and count absentee ballots under  
31 AS 15.20.081(e) and (h), **absentee ballots properly cured under AS 15.20.222,** and

1 questioned ballots that have been forwarded to the director and that have not been  
2 reviewed or counted by a district counting board.

3 \* **Sec. 32.** AS 15.20 is amended by adding new sections to read:

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

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

14 (b) The online ballot-tracking system must

- 15 (1) verify a voter's identity; and
- 16 (2) indicate to a voter

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

20 (B) the reason the voter's ballot was not counted, if the ballot  
21 was not counted.

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

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

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

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

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

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

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

21 (3) the ballot is otherwise valid.

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

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

31 \* **Sec. 33.** AS 15.56.030(d) is amended to read:

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

2 (1) includes

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

7 (B) government employment or benefits;

8 (2) does not include

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

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

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

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

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

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

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

28 \* **Sec. 34.** AS 15.80 is amended by adding a new section to read:

29 **Sec. 15.80.006. Cybersecurity.** The director shall, by regulation, develop a  
30 cybersecurity program to defend the voter registration records kept by the division  
31 against cyber attacks and data breaches and enable the division to detect and recover

1 from cyber attacks. The program must include cybersecurity training for election  
2 officials.

3 \* **Sec. 35.** AS 19.25.105(a) is amended to read:

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

7 (1) directional and other official signs and notices **that** [WHICH]  
8 include [, BUT ARE NOT LIMITED TO,] signs and notices pertaining to natural  
9 wonders, scenic and historic attractions, which are required or authorized by law, and  
10 which shall conform to federal standards for interstate and primary systems;

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

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

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

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

21 **(6) temporary political campaign signs not larger than 32 square**  
22 **feet in size displayed on private property if the sign does not pose a risk to the**  
23 **public and is outside of an interstate, primary, or secondary highway right-of-**  
24 **way.**

25 \* **Sec. 36.** AS 24.45.091 is amended to read:

26 **Sec. 24.45.091. Publication of reports.** Copies of the statements and reports  
27 filed under this chapter shall be made available to the public at the commission's  
28 **offices and on the commission's Internet website** [CENTRAL OFFICE, THE  
29 OFFICE OF THE LIEUTENANT GOVERNOR, THE LEGISLATIVE REFERENCE  
30 LIBRARY OF THE LEGISLATIVE AFFAIRS AGENCY, AND AT THE  
31 COMMISSION'S DISTRICT OFFICES PRESCRIBED IN AS 15.13.020(j)] as soon

1 as practicable after each reporting period.

2 \* **Sec. 37.** AS 24.45.111(b) is amended to read:

3 (b) The commission shall preserve the statements and reports required to be  
4 filed under this chapter for a period of six years from the date of filing. **Copies** [IF  
5 THE COMMISSION'S CENTRAL OFFICE IS NOT IN THE STATE CAPITAL,  
6 COPIES] of all statements and reports filed under this chapter shall be maintained in  
7 **the commission's offices and be made available on the commission's Internet**  
8 **website** [AN OFFICE ESTABLISHED BY THE COMMISSION IN THE STATE  
9 CAPITAL OR IN THE OFFICE OF THE LIEUTENANT GOVERNOR].

10 \* **Sec. 38.** AS 29.26.050 is amended by adding a new subsection to read:

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

20 \* **Sec. 39.** AS 39.50.020(b) is amended to read:

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

31 \* **Sec. 40.** AS 39.50.200(b) is amended by adding a new paragraph to read:

1 (65) Redistricting Board.

2 \* **Sec. 41.** AS 44.62.310(h)(3) is amended to read:

3 (3) "public entity" means an entity of the state or of a political  
4 subdivision of the state including an agency, a board or commission, **the**  
5 **Redistricting Board**, the University of Alaska, a public authority or corporation, a  
6 municipality, a school district, and other governmental units of the state or a political  
7 subdivision of the state; it does not include the court system or the legislative branch  
8 of state government.

9 \* **Sec. 42.** AS 15.10.170(b); AS 15.20.203(i), 15.20.203(j); and AS 29.26.050(a)(3) are  
10 repealed.

11 \* **Sec. 43.** The uncodified law of the State of Alaska is amended by adding a new section to  
12 read:

13 APPLICABILITY. AS 15.56.030(d), as amended by sec. 33 of this Act, applies to  
14 offenses committed on or after the effective date of sec. 33 of this Act.

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

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

21 \* **Sec. 45.** Section 44 of this Act takes effect immediately under AS 01.10.070(c).

22 \* **Sec. 46.** Except as provided in sec. 45 of this Act, this Act takes effect January 1, 2024.