

1 HB194  
2 216649-3  
3 By Representative Allen  
4 RFD: Constitution, Campaigns and Elections  
5 First Read: 01-FEB-22

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ENROLLED, An Act,

Relating to elections; to prohibit certain public officials responsible for the conduct of an election, or their employees, from soliciting, accepting, or using certain donations from an individual or nongovernmental entity for the purpose of funding certain election-related expenses, with exceptions; to provide criminal penalties for violations; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Amendment 621 of the Constitution of Alabama of 1901, as amended by Amendment 890, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this section, "election-related expenses" means any of the following:

- (1) Payments, salaries, or bonuses for election officials, boards of registrars, and poll workers.
- (2) Expenses relating to equipment, ballots, printing, mailing, or transportation.
- (3) Expenses relating to signage or media production.

1           (4) Expenses relating to lectures, educational  
 2 seminars, or events to train election officials, boards of  
 3 registrars, or poll workers.

4           (b) Notwithstanding any other law, no state or local  
 5 public official responsible for the conduct of an election,  
 6 nor his or her employee, may solicit, accept, or use any  
 7 donation in the form of money, grants, property, or personal  
 8 services from an individual or a nongovernmental entity for  
 9 the purpose of funding election-related expenses or voter  
 10 education, voter outreach, or voter registration programs.

11           (c) (1) This section does not prohibit the donation  
 12 and acceptance of space to be temporarily used for a polling  
 13 place.

14           (2) Notwithstanding this section, if a state public  
 15 health emergency is proclaimed, donations of items for the  
 16 preservation or protection of the public health to be used by  
 17 voters or election officials may be accepted by the Office of  
 18 the Governor for distribution to each judge of probate,  
 19 provided written notice of that donation is published on the  
 20 Governor's website and transmitted by press release to a media  
 21 outlet in each county no more than 21 days and no less than 10  
 22 days prior to the distribution of the donated items. The  
 23 written notice shall include the full name, address, and phone  
 24 number of the donor, and a list of items, including  
 25 descriptions and quantities and the dollar value. Items shall

1 be distributed to each of the 67 counties equally. The  
2 Governor may transfer the items to the Office of the Secretary  
3 of State for distribution after publication of notice.

4 (d) Any person who violates this section shall be  
5 guilty of a Class B misdemeanor.

6 Section 2. Although this bill would have as its  
7 purpose or effect the requirement of a new or increased  
8 expenditure of local funds, the bill is excluded from further  
9 requirements and application under Amendment 621, as amended  
10 by Amendment 890, now appearing as Section 111.05 of the  
11 Official Recompilation of the Constitution of Alabama of 1901,  
12 as amended, because the bill defines a new crime or amends the  
13 definition of an existing crime.

14 Section 3. This act shall become effective on the  
15 first day of the third month following its passage and  
16 approval by the Governor, or its otherwise becoming law.

