

1 HB259  
2 172857-1  
3 By Representatives Moore (M), Knight, Todd, Hall, Buskey,  
4 Bracy, Jackson, Boyd, Howard, Forte, Drummond, Warren,  
5 McClammy, Melton, McCampbell, Givan, Robinson, Rogers and  
6 Scott  
7 RFD: Constitution, Campaigns and Elections  
8 First Read: 18-FEB-16

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8 SYNOPSIS: Under existing law, a person must complete a  
9 voter registration application in order to register  
10 to vote.

11 This bill would provide for automatic voter  
12 registration of qualified persons who apply for or  
13 renew a driver's license or nondriver  
14 identification card.

15 This bill would allow a person to opt out  
16 who does not want to register to vote.

17 This bill would also require the Secretary  
18 of State to promulgate rules.

19  
20 A BILL

21 TO BE ENTITLED

22 AN ACT

23  
24 Relating to voter registration; to provide for  
25 automatic voter registration of qualified persons who apply  
26 for or renew a driver's license or nondriver identification  
27 card; to allow a person to opt out who does not want to

1 register to vote; and to require the Secretary of State to  
2 promulgate rules.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. (a) The Secretary of State, by rule,  
5 shall establish a program by which the Alabama Law Enforcement  
6 Agency provides to the secretary electronic records derived  
7 from the issuance and renewal of drivers' licenses and  
8 nondriver identification cards, containing the legal name,  
9 age, residence and citizenship information for, and the  
10 electronic signature of, each person who meets the  
11 qualifications to register to vote as described in Section  
12 17-3-30, Code of Alabama 1975.

13 (b) Upon receiving the electronic record for, and  
14 electronic signature of, a person described in subsection (a),  
15 the Secretary of State shall provide the information to the  
16 board of registrars of the county in which the person may be  
17 registered as an elector. The secretary or board of registrars  
18 shall notify each person of the process to decline being  
19 registered as an elector.

20 (c) If a person notified under subsection (b) does  
21 not decline to be registered as an elector within 21 calendar  
22 days after the Secretary of State or board of registrars  
23 issues the notification, the person's electronic record and  
24 electronic signature submitted under subsection (a) constitute  
25 a completed registration application for the person for  
26 purposes of Section 17-3-52, Code of Alabama 1975. If the  
27 board determines that the person is qualified to vote under

1 Article 8 of the Constitution of Alabama of 1901, and under  
2 state law and the person is not already registered to vote,  
3 the person shall be registered and the board of registrars  
4 shall issue a certificate of registration.

5 (d) A board of registrars may not issue a  
6 certificate of registration or add to an elector registration  
7 list a person who meets qualification requirements until at  
8 least 21 calendar days after the Secretary of State or board  
9 of registrars provided notification to the person as described  
10 in subsection (b); provided, however, a board may not register  
11 a person to vote during the 14-day period prior to any  
12 election.

13 (e) Nothing in this section shall affect the  
14 authority of a board of registrars to determine whether an  
15 applicant is qualified pursuant to Section 17-3-52, Code of  
16 Alabama 1975, or to maintain and update voter registration  
17 lists in accordance with Chapter 4, Title 17, Code of Alabama  
18 1975.

19 (f) The Secretary of State shall adopt rules  
20 pursuant to the Administrative Procedure Act required to  
21 implement this section.

22 Section 2. This act shall become effective on the  
23 first day of the third month following its passage and  
24 approval by the Governor, or its otherwise becoming law.