

1 HB425
2 128743-3
3 By Representative Clouse
4 RFD: Constitution, Campaigns and Elections
5 First Read: 31-MAR-11

1 except as herein provided. Primary elections herein provided
2 for shall be held at the regular polling places established
3 for the purpose of holding general elections.

4 "(b) In years in which a presidential primary is
5 conducted, the primary election shall be the second Tuesday in
6 March.

7 "§17-13-100.

8 "(a) Primary elections for the purpose of
9 determining the preferred candidates for President of the
10 United States shall be held the ~~first~~ second Tuesday in
11 ~~February~~ March each year in which a President is to be elected
12 beginning in the year ~~2008~~ 2012.

13 "(b) Subject to rules and procedures of the
14 political party of any ~~such~~ presidential candidate, the names
15 of any candidates for delegate to the national conventions
16 pledged to a presidential candidate shall be placed under his
17 or her name and ~~such~~ the delegates shall be elected in the
18 primary election ~~on the first Tuesday in February of each year~~
19 as provided herein.

20 "~~(c) In any year in which the presidential~~
21 ~~preference primary is on the same day as Mardi Gras, the~~
22 ~~following additional provisions apply:~~

23 "~~(1) Qualified electors in Mobile County, Baldwin~~
24 ~~County, and any county that recognizes Mardi Gras as a county~~
25 ~~holiday may vote an absentee ballot without regard as to~~
26 ~~whether the elector will be out of the municipality, county,~~
27 ~~or state on election day.~~

1 ~~"(2) Qualified electors in Mobile County, Baldwin~~
2 ~~County, and any county that recognizes Mardi Gras as a county~~
3 ~~holiday may vote in the presidential preference primary on the~~
4 ~~Wednesday preceding the first Tuesday in February. This early~~
5 ~~voting day shall be conducted by the respective judges of~~
6 ~~probate in the same manner as provided for the day of the~~
7 ~~presidential preference primary, except as otherwise provided~~
8 ~~in this subsection.~~

9 ~~"(3) When early voting is provided on the Wednesday~~
10 ~~preceding the first Tuesday in February and when the day of~~
11 ~~the presidential preference primary is Mardi Gras, the Judges~~
12 ~~of Probate in Mobile County, Baldwin County, and any county~~
13 ~~that recognizes Mardi Gras as a county holiday may establish~~
14 ~~for both days special voting centers, rather than standard~~
15 ~~precincts and voting locations. These voting centers shall be~~
16 ~~established at locations accessible to electors and that will~~
17 ~~allow participation.~~

18 ~~"(4) When early voting is provided, votes on that~~
19 ~~day shall be counted by poll workers at the voting centers or~~
20 ~~other appropriate locations and the results shall be sealed~~
21 ~~without disclosure and forwarded to the judge of probate; and~~
22 ~~such results shall remain sealed until the first Tuesday in~~
23 ~~February, when the final tabulation and canvassing shall be~~
24 ~~conducted, after which all results shall be announced at the~~
25 ~~same time.~~

26 ~~"(5) Except as specifically provided in subdivision~~
27 ~~(6), if any time requirement specified in this title is made~~

1 ~~unreasonable by this subsection, the judge of probate of the~~
2 ~~applicable county may adjust the time requirements to comply~~
3 ~~with this subsection. Such adjustments to the election~~
4 ~~administration procedures and practices shall be as consistent~~
5 ~~as possible with the state election~~
6 ~~organizational-administration plan, but it is the intent of~~
7 ~~this subdivision to grant the judge of probate necessary~~
8 ~~flexibility to implement this subsection.~~

9 ~~"(6) a. The voter registration deadline date for the~~
10 ~~elections provided in this subsection shall be 10 days prior~~
11 ~~to the early election date.~~

12 ~~"b. The absentee ballot request deadline date for~~
13 ~~the elections provided in this subsection shall be the~~
14 ~~Thursday before the early election date.~~

15 ~~"c. The emergency absentee ballot process shall~~
16 ~~apply from the Friday before the early election date to the~~
17 ~~day before the first Tuesday in February.~~

18 ~~"(7) The appointing board, for purposes of this~~
19 ~~subsection only, may appoint sufficient poll workers for the~~
20 ~~voting centers who reside anywhere in the county.~~

21 ~~"(8) The county commission of each county subject to~~
22 ~~this subsection may take any of the following actions~~
23 ~~regarding implementing this subsection:~~

24 ~~"a. Designate one place within the county for use on~~
25 ~~the first Tuesday in February as a countywide voting center.~~

1 ~~"b. Designate an alternative place for the~~
2 ~~tabulation and canvassing of election returns besides the~~
3 ~~county seat of government on the first Tuesday in February.~~

4 ~~"c. Designate an alternative place for the operation~~
5 ~~of the Board of Registrars' office and Absentee Election~~
6 ~~Manager's office besides the county seat of government on the~~
7 ~~first Tuesday in February.~~

8 ~~"d. Pay expenses associated with: Telephone,~~
9 ~~computer, and communication operations, including, but not~~
10 ~~limited to, installation, service, and discontinuation,~~
11 ~~associated with obtaining these services on the first Tuesday~~
12 ~~in February at the countywide voting center; and the locations~~
13 ~~for tabulation and canvassing; Board of Registrars' functions;~~
14 ~~and Election Manager's office functions; as such expenses are~~
15 ~~considered appropriate by the judge of probate and the county~~
16 ~~commission, not to exceed twenty-five thousand dollars~~
17 ~~(\$25,000) per county.~~

18 ~~"e. Pay advertising and media expenses incurred in~~
19 ~~attempting to inform the citizens of the county of early~~
20 ~~voting, absentee voting, and voting on the first Tuesday in~~
21 ~~February as provided in this subsection, as considered~~
22 ~~appropriate by the judge of probate, not to exceed one hundred~~
23 ~~thousand dollars (\$100,000) per county.~~

24 ~~"f. Pay holiday compensation amounts, as otherwise~~
25 ~~provided, to county employees for services rendered on the~~
26 ~~first Tuesday in February or other affected dates.~~

1 ~~"(9) Municipalities in any county subject to this~~
2 ~~subsection shall ensure that no parade permit is issued that~~
3 ~~would hinder or disrupt the early voting process provided in~~
4 ~~this subsection.~~

5 ~~"(10) All expenses necessary to provide for absentee~~
6 ~~balloting or early voting in any county subject to this~~
7 ~~subsection shall be reimbursed by the state as provided in~~
8 ~~subsection (d).~~

9 ~~"(d)(c) The State of Alabama shall reimburse a~~
10 ~~county for all sums expended in holding and conducting the~~
11 ~~presidential preference primary as provided in Section~~
12 ~~17-16-4. The provisions of Section 17-4-1 shall not apply to~~
13 ~~the election held under this section, and no payments shall be~~
14 ~~made to the judge of probate under the provisions of Section~~
15 ~~17-3-60."~~

16 Section 2. This act shall become effective
17 immediately following its passage and approval by the
18 Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Constitution,
Campaigns and Elections..... 31-MAR-11

Read for the second time and placed
on the calendar with 1 substitute
and..... 06-APR-11

Read for the third time and passed
as amended..... 26-APR-11

Yeas 99, Nays 1, Abstains 0

Greg Pappas
Clerk