

HB464 INTRODUCED



1 DW92NN-1

2 By Representatives Hassell, Gray, Morris, Bracy, McClammy,
3 Forte, Clarke, Jones, Sellers, Tillman, Travis, Plump, Hollis,
4 Drummond, Givan, Warren, Hall, Lawrence, Rafferty, Chestnut,
5 Boyd

6 RFD: Constitution, Campaigns and Elections

7 First Read: 11-May-23

8

9 2023 Regular Session



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SYNOPSIS:

Under existing law, in order to vote by absentee ballot, an elector must complete an absentee ballot application, which includes checking off the reason he or she wishes to vote by absentee ballot from a specified list of reasons. When the elector submits the absentee ballot to cast his or her vote, the elector must again check off the reason for voting absentee on the affidavit submitted with the absentee ballot.

This bill would remove from the affidavit form the list of reasons for voting by absentee ballot.

A BILL
TO BE ENTITLED
AN ACT

Relating to voting; to amend Section 17-11-7, Code of Alabama 1975, to remove from the affidavit that accompanies an absentee ballot certain information that was collected from the voter when the voter applied to vote by absentee ballot.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-11-7, Code of Alabama 1975, is amended to read as follows:

"§17-11-7



HB464 INTRODUCED

29 (a) Each absentee ballot shall be accompanied by an
30 envelope upon which shall be printed an affidavit.

31 (b) With respect to an absentee ballot cast pursuant to
32 Section 17-11-3, the affidavit shall read as follows:

33 "State of Alabama

34 County of _____

35 I, the undersigned, do swear (or affirm) that:

36 My place of residence in Alabama is: _____

37 (street) _____, Alabama _____ (city or

38 town) (zip code)

39 My date of birth is: _____ month day year

40 ~~I am entitled to vote an absentee ballot because:~~

41 ~~Check at least one:~~

42 ~~___ I expect to be out of the county or the state on~~
43 ~~election day.~~

44 ~~___ I am physically incapacitated and will not be able~~
45 ~~to vote in person on election day.~~

46 ~~___ I expect to work a required workplace shift which~~
47 ~~has at least 10 hours which coincide with the polling hours at~~
48 ~~my regular polling place.~~

49 ~~___ I am a student at an educational institution~~
50 ~~located outside the county of my permanent residence and am~~
51 ~~therefore unable to vote at my usual polling place on election~~
52 ~~day.~~

53 ~~___ I am a member of or a spouse or dependent of a~~
54 ~~member of the Armed Forces of the United States or am~~
55 ~~otherwise entitled to vote pursuant to the federal Uniformed~~
56 ~~and Overseas Citizens Absentee Voting Act, 42 U.S.C. 1973ff.~~



HB464 INTRODUCED

57 ~~___ I have been appointed as an election officer at a~~
58 ~~polling place which is not my regular polling place.~~

59 ~~___ I will be out of the county on election day~~
60 ~~responding to a state of emergency as declared by this state~~
61 ~~or any other state, or by the federal government.~~

62 ~~___ I am a caregiver for a family member to the second~~
63 ~~degree of kinship by affinity or consanguinity and the family~~
64 ~~member is confined to his or her home.~~

65 ~~___ I am currently incarcerated in prison or jail and I~~
66 ~~have not been convicted of a felony involving moral turpitude.~~

67 I am entitled to vote an absentee ballot for the reason
68 specified on my absentee ballot application.

69 I further swear (or affirm) that I have not voted nor
70 will I vote in person in the election to which this ballot
71 pertains.

72 I have marked the enclosed absentee ballot voluntarily
73 and I have read or had read to me and understand the
74 instructions accompanying this ballot and I have carefully
75 complied with such instructions.

76 Moreover, I further swear (or affirm) that all of the
77 information given above is true and correct to the best of my
78 knowledge and that I understand that by knowingly giving false
79 information so as to vote illegally by absentee ballot that I
80 shall be guilty of a misdemeanor which is punishable by a fine
81 not to exceed one thousand dollars (\$1,000) or confinement in
82 the county jail for not more than six months, or both.

83 _____ (Signature or mark of
84 voter.) _____ (Printed name of voter.)



HB464 INTRODUCED

85 IF YOUR AFFIDAVIT IS NOT SIGNED (OR MARKED), AND IF
86 YOUR AFFIDAVIT IS NOT WITNESSED BY TWO WITNESSES 18 YEARS OF
87 AGE OR OLDER OR A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO
88 ACKNOWLEDGE OATHS, PRIOR TO BEING DELIVERED OR MAILED TO THE
89 ABSENTEE ELECTION MANAGER, YOUR BALLOT WILL NOT BE COUNTED.

90 Sworn to and subscribed before me this _____ day of
91 _____, 2__.

92 I certify that the affiant is known (or made known) to
93 me to be the identical party he or she claims to be.

94 _____ (Signature of official) (Title of
95 official) _____ (Address of official) OR 1st

96 Witness _____ Signature _____ Print name
97 _____ Address _____ City Zip Code

98 2nd Witness _____ Signature _____ Print
99 name _____ Address _____ City Zip Code"

100 (c) Unless running unopposed, a candidate may not
101 witness or notarize any absentee ballot."

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