

1 HB507
2 211379-1
3 By Representative Garrett
4 RFD: Constitution, Campaigns and Elections
5 First Read: 04-MAR-21

8 SYNOPSIS: Under existing law, the circuit clerk is
9 designated as the absentee election manager unless
10 the circuit clerk declines the duties. The county
11 commission of a county designates the place or
12 office where the absentee voting duties are
13 performed.

14 The bill would authorize the county
15 commission to designate additional places or
16 offices where the absentee voting duties are
17 performed. The additional places or offices would
18 be under the control of the county and the absentee
19 election manager would be required to be physically
20 present when the place or office is open for
21 absentee voting purposes. Any additional places or
22 offices would be designated by the county
23 commission in advance and the dates and times they
24 would be open would be publicized in advance.

26 A BILL
27 TO BE ENTITLED

1 AN ACT

2
3 Relating to absentee voting; to amend Section
4 17-11-2, Code of Alabama 1975, to authorize the county
5 commission of a county to designate additional places or
6 offices where the duties of the absentee election manager may
7 be performed for the purpose of absentee voting; to require
8 the places or offices designated to be under the control of
9 the county commission; to require the absentee election manger
10 to be present when the places or offices are open for absentee
11 voting purposes; and to require the places or offices to be
12 designated in advance and to be made widely known to the
13 qualified electors of the county.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Section 17-11-2 of the Code of Alabama
16 1975, is amended to read as follows:

17 "§17-11-2.

18 "(a) In each county there shall be an "absentee
19 election manager," who shall fulfill the duties assigned by
20 this chapter. The circuit clerk of the county shall, at his or
21 her option, be the absentee election manager. If the circuit
22 clerk of the county declines the duties of absentee election
23 manager, the appointing board shall thereupon appoint an
24 absentee election manager, who shall be a person qualified by
25 training and experience, who is a qualified elector of the
26 county, and who is not a candidate in the election to perform
27 the duties assigned by this chapter. ~~The county commission~~

1 ~~shall designate the place or office where such duties shall be~~
2 ~~performed. Such place or office shall be open on the days and~~
3 ~~during the hours as that of the circuit clerk prior to each~~
4 ~~election.~~ Any person so appointed shall have all the powers,
5 duties, and responsibilities of the circuit clerk for the
6 purposes of this chapter, including the power to administer
7 oaths. ~~Such~~ The powers, duties, and responsibilities shall
8 terminate when the election results are certified. The
9 absentee election manager or circuit clerk shall be entitled
10 to the same compensation for the performance of his or her
11 duties as is provided in Section 17-11-14.

12 "(b) The county commission shall designate the
13 principal place or office where the duties of the absentee
14 election manager will be performed. The county commission may
15 designate one or more additional places or offices where a
16 qualified elector may appear in person before the absentee
17 election manager for absentee voting purposes, including to
18 make an application for an absentee ballot, to receive an
19 absentee ballot, and to return an absentee ballot to the
20 absentee election manager. The absentee election manager shall
21 be physically present at any additional place or office
22 designated by the county commission when the place or office
23 is open for absentee voting purposes. Any place or office
24 designated that is not a county courthouse or other county
25 facility shall be under the exclusive control of the county at
26 all times during any election cycle in which the duties of the
27 absentee election manager are performed at the place or

1 office. If more than one place or office is designated by the
2 county commission, not less than 14 days before absentee
3 voting begins in any election, the county commission shall
4 designate the dates when the absentee election manager shall
5 be present at each place or office, which dates shall be made
6 widely known to the qualified electors of the county. Any
7 place or office designated by the county commission pursuant
8 to this section shall be open on the days and during the hours
9 that the office of the circuit clerk is open prior to each
10 election."

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