

1 SB458
2 152009-1
3 By Senator Sanford
4 RFD: Constitution, Campaign Finance, Ethics, and Elections
5 First Read: 18-APR-13

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8 SYNOPSIS: Under existing law, a list of registered
9 voters is required to be published in a newspaper
10 of general circulation in the county prior to each
11 regular primary election. Additionally, a list of
12 the registered voters to be removed from the voters
13 list is required to be published when statewide
14 voter file maintenance is conducted. Also under
15 existing law, notice of all elections and a list of
16 inspectors and clerks for an election are required
17 to be published in a newspaper of general
18 circulation in the county.

19 This bill would eliminate the requirement to
20 publish these lists and notices, except the lists
21 of voters to be removed, and have this information
22 posted on the county website, or if there is no
23 website maintained by the county, on the website of
24 the Association of County Commissions of Alabama.
25 This bill would also require that this information
26 would be available for review upon request at no
27 cost and that the county place a display

1 advertisement at least one-half page in size in
2 some newspaper of general circulation in the county
3 providing information about where the lists and
4 notices are available.

5 Under existing law, the judge of probate
6 receives five cents a name for providing the
7 election inspector with a list of the qualified
8 electors in the county on election day.

9 This bill would limit payment to one list
10 per election.

11
12 A BILL
13 TO BE ENTITLED
14 AN ACT
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16 To amend Sections 17-3-60, 17-4-1, 17-4-10, and
17 17-9-5, Code of Alabama 1975, to remove the requirement to
18 publish certain lists of registered voters and inspectors and
19 clerks and election notices in a newspaper of general
20 circulation in the county; to require the information to be
21 posted on a county website and made available upon request at
22 no cost to the person making this request; to require the
23 county to place a display advertisement in a newspaper of
24 general circulation in the county identifying where voter list
25 and election notice information is available; and to limit
26 payment to the probate judge for providing copies of the voter
27 list to the election inspector.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Sections 17-3-60, 17-4-1, 17-4-10, and
3 17-9-5, Code of Alabama 1975, are amended to read as follows:

4 "§17-3-60.

5 "The judge of probate may employ such assistants and
6 clerical help as may be necessary to complete and properly
7 prepare reports from the state voter registration list of the
8 list of qualified electors which the judge of probate is
9 required to furnish a certified copy to the election
10 inspectors. The judge of probate shall receive or such
11 assistants shall be paid out of the county treasury by
12 warrants, drawn by the county commission on certificate of the
13 judge of probate, accompanied by the certificates of the
14 person being paid, showing the amount due under the provisions
15 of this chapter, but the entire amount spent for the
16 preparation of such lists shall not exceed a sum equal to the
17 amount obtained by multiplying the number of names on the list
18 by five cents (\$.05) for the preparation of such list, and
19 there shall only be payment made for preparation of one list
20 for each election. Payment made by the county shall be
21 reimbursed as provided in Chapter 16. The judge of probate in
22 all counties having a population of not less than 100,000 nor
23 more than 350,000, according to the last or any subsequent
24 federal census, shall employ a clerk to assist the board of
25 registrars of the county. The duties of the clerk shall be to
26 submit to the board of registrars revised election lists of
27 the county by placing all persons in their proper ward or

1 precincts and eliminating therefrom all deceased, nonresident,
2 and fictitious persons named upon the voting roll and those
3 convicted of crime. The clerk shall further attend to all
4 clerical work of the board of registrars. The clerk shall be
5 paid a compensation out of the county treasury, of not more
6 than two hundred fifty dollars (\$250) per month, to be fixed
7 by the judge of probate.

8 "The board of registrars shall be furnished with
9 office space by the county governing body. The chair of the
10 board of registrars is hereby authorized to purchase all
11 necessary office equipment and hire all necessary part time or
12 full time clerical help to perform its prescribed duties.

13 "§17-4-1.

14 "~~The~~ (a) On or before the twentieth day preceding
15 the regularly scheduled primary election, the judge of probate
16 shall publish from the state voter registration list post on
17 the website of the county a correct alphabetical list of
18 qualified electors from the state voter registration list
19 either by county, precinct, district, or subdivision wherein
20 each elector is registered to vote, ~~in some newspaper with~~
21 ~~general circulation in the county, on or before the twentieth~~
22 ~~day preceding the regularly scheduled primary election. If the~~
23 county does not maintain a website, the list shall be posted
24 on the website of the Association of County Commissions of
25 Alabama. The list shall also be available upon request at no
26 cost from the office of the judge of probate. In addition to
27 the posting, the county shall give notice by placing a display

1 advertisement at least one-half page in size for two
2 consecutive weeks in a newspaper with general circulation in
3 the county meeting the requirements for publication of legal
4 notices pursuant to Sections 6-8-60 and 6-8-64. Provided,
5 however, for the first primary election following the
6 reapportionment of the Alabama Legislature, the display
7 advertisement shall be published in each newspaper with
8 general circulation in the county meeting the requirements for
9 publication of legal notices pursuant to Sections 6-8-60 and
10 6-8-64. The advertisement shall include the website address
11 where the list can be obtained, state that the list will be
12 available at no cost from the office of the judge of probate,
13 and include contact information for the office of the judge of
14 probate.

15 "(b) The list of qualified electors prepared by the
16 judge of probate shall be accompanied by a printed
17 certification generated by the state voter registration system
18 verifying that the list contains the names of all qualified
19 electors registered as of the specified time and date when it
20 was printed. The list shall further state that any elector
21 whose name was inadvertently omitted from the list shall have
22 10 days in which to have his or her name entered upon the list
23 of qualified voters.

24 "(c) If within 10 days after the list of qualified
25 electors is made available, any voter shall reasonably satisfy
26 the board of registrars by proper proof that any name should
27 be added to the list, the board shall add ~~such~~ the name of the

1 voter to the list. The supplemental list of registered voters
2 inadvertently omitted from the original list shall be
3 ~~published once in a newspaper of general circulation in the~~
4 county posted on the county's website or, if the county does
5 not maintain a website, on the website of the Association of
6 County Commissions of Alabama, on or before the seventh day
7 preceding the date of the primary election and the
8 availability of the list shall be noted in the display
9 advertisement required by subsection (a). ~~The lists required~~
10 ~~to be published pursuant to this section may be published, at~~
11 ~~the discretion of the county commission, as a preprinted or~~
12 ~~inserted advertising supplement at a cost no greater than the~~
13 ~~selected newspaper's lowest applicable national insertion~~
14 ~~rates. If the list is published as a preprinted supplement in~~
15 ~~the selected newspaper, the supplement size shall conform to~~
16 ~~the size requirements set by the selected newspaper and shall~~
17 ~~be printed on standard newsprint paper. The type size shall be~~
18 ~~no smaller than nine point standard type. The list shall also~~
19 ~~be delivered to the newspaper for insertion in a manner~~
20 ~~required for other advertising supplements. The supplement may~~
21 ~~not contain any other advertising. Any newspaper accepting a~~
22 ~~preprinted insertion that is not prepared by the newspaper~~
23 ~~shall not be responsible for the content of such insertion.~~
24 The list shall also be made available upon request at no cost
25 from the office of the judge of probate. Nothing in this
26 section shall prohibit a county commission from publishing the
27 list of ~~voters~~ qualified electors in ~~more than one~~ any

1 newspaper within the county at the county commission's
2 discretion.

3 "§17-4-10.

4 "The names of persons in the county to be struck
5 from the list of registered voters shall be listed by precinct
6 and in alphabetical order and published in a newspaper of
7 general circulation in the county meeting the requirements for
8 publication of legal notices pursuant to Sections 6-8-60 and
9 6-8-64 once a week and posted on the county's website for at
10 least two consecutive weeks in November or December of each
11 year in which the statewide voter file maintenance is
12 conducted. If the county does not maintain a website, the list
13 shall be posted on the website of the Association of County
14 Commissions of Alabama. The list shall also be available at no
15 cost to the requestor from the judge of probate's office.
16 Provided, however, for the first voter file maintenance
17 process following the reapportionment of the Alabama
18 Legislature, the list required by this section shall be
19 published in each newspaper with general circulation in the
20 county meeting the requirements for publication of legal
21 notices pursuant to Sections 6-8-60 and 6-8-64. The county
22 shall place a display advertisement at least one-quarter page
23 in size in a newspaper with general circulation in the county.
24 The advertisement shall include the website address where the
25 list can be obtained, state that the list will be available
26 upon request at no cost from the office of the judge of

1 probate, and include contact information for the office of the
2 judge of probate.

3 "§17-9-5.

4 "The judge of probate must give notice of each
5 election at least 30 days before ~~each~~ the election by
6 ~~publication in a newspaper of general circulation in the~~
7 ~~county, if any is published therein and, if not, by writings~~
8 ~~posted~~ posting notice on the county's website, at the
9 courthouse door, and at three other public places in the
10 ~~county, of .~~ If the county does not maintain a website, the
11 notice shall be posted on the website of the Association of
12 County Commissions of Alabama. In addition, the county shall
13 place a display advertisement of at least one-quarter page in
14 size in a newspaper with general circulation in the county
15 meeting the requirements for publication of legal notices
16 pursuant to Sections 6-8-60 and 6-8-64. The advertisement
17 shall include the website address where the notice of election
18 may be obtained. The notice of election available on the
19 website and at the courthouse and other public places shall
20 include the time of holding the election and the offices to be
21 filled by ~~such~~ the election. ~~Such~~ The notice shall consist
22 only of the date of the election and the officers to be voted
23 for or subjects to be voted on."

24 Section 2. This act shall become effective
25 immediately following its passage and approval by the
26 Governor, or its otherwise becoming law and shall apply to any
27 election cycle commencing after the effective date of the act.

