

1 SB97
2 128691-1
3 By Senator Allen
4 RFD: Judiciary
5 First Read: 07-FEB-12
6 PFD: 01/25/2012

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8 SYNOPSIS: Under existing law, a person who willfully
9 changes an absentee voter's ballot or promotes
10 illegal absentee voting shall be guilty upon
11 conviction of a Class C felony.

12 This bill would increase the penalty to a
13 Class B felony.

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15 A BILL
16 TO BE ENTITLED
17 AN ACT

18
19 Relating to absentee voting; to amend Section
20 17-17-24 of the Code of Alabama 1975, to increase the penalty
21 for illegal absentee voting.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Section 17-17-24 of the Code of Alabama
24 1975, is amended to read as follows:

25 "§17-17-24.

1 "(a) Any person who willfully changes an absentee
2 voter's ballot to the extent that it does not reflect the
3 voter's true ballot, any person who willfully votes more than
4 once by absentee ballot in the same election, any person who
5 willfully votes for another voter or falsifies absentee ballot
6 applications or verification documents so as to vote absentee,
7 or any person who solicits, encourages, urges, or otherwise
8 promotes illegal absentee voting, shall be guilty, upon
9 conviction, of a Class C B felony. Any person who willfully
10 aids any person unlawfully to vote an absentee ballot, any
11 person who knowingly and unlawfully votes an absentee ballot,
12 and any voter who votes both an absentee and a regular ballot
13 at any election shall be similarly punished.

14 "(b) Upon request by the local district attorney or
15 the Secretary of State, the Attorney General shall provide
16 investigating assistance in instances of absentee ballot or
17 voting violations.

18 "(c) Nothing in this section shall be construed to
19 impede or inhibit organized legal efforts to encourage voter
20 participation in the election process or to discourage a
21 candidate from encouraging electors to lawfully vote by
22 absentee ballot."

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