

SENATE CS FOR CS FOR HOUSE BILL NO. 129(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 5/3/24

Referred: Finance

Sponsor(s): HOUSE JUDICIARY COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to elections; relating to voters; relating to voting; relating to voter**
2 **registration; relating to disclosure of election-related deepfakes; relating to a legal fund**
3 **to pay attorney fees and costs in an election contest; and providing for an effective**
4 **date."**

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 *** Section 1.** AS 15.05.010 is amended to read:

7 **Sec. 15.05.010. Voter qualification.** A person may vote at any election who

8 (1) is a citizen of the United States;

9 (2) is 18 years of age or older;

10 (3) has been a resident of the state and of the house district in which
11 the person seeks to vote for at least 30 days just before the election; and

12 (4) has registered [BEFORE THE ELECTION] as required under
13 AS 15.07 and is not registered to vote in another jurisdiction.

14 *** Sec. 2.** AS 15.07.060 is amended by adding a new subsection to read:

1 (g) An applicant who requests registration within 30 days before an election
 2 shall supply a declaration stating whether the applicant established residency at least
 3 30 days before the date of the election in

4 (1) the state;

5 (2) the house district in which the applicant seeks to vote at the
 6 election.

7 * **Sec. 3.** AS 15.07.070(c) is amended to read:

8 (c) The names of persons submitting completed registration forms by mail that
 9 are postmarked at least 30 days before the next election, or submitting completed
 10 registration forms by facsimile or other electronic transmission approved by the
 11 director under AS 15.07.050 that are received at least 30 days before the next election,
 12 shall be placed on the official registration list for that election. If a registration form
 13 received by mail less than 30 days before an election does not have a legible and dated
 14 postmark, the name of the person submitting the form shall be placed on the official
 15 registration list for that election if the form was signed and dated by the person at least
 16 30 days before the election and if the form is received by the director or election
 17 supervisor at least 25 days before the election. The name of a person submitting a
 18 completed registration form by mail or by facsimile or other electronic transmission
 19 that does not meet the applicable requirements of this subsection may not be placed on
 20 the official registration list for that election but shall be placed on the master register
 21 after that election. **A person submitting a completed registration form that does**
 22 **not meet the requirements of this subsection for placement on the master register**
 23 **for the next election but who complies with AS 15.07.060(g) may vote an**
 24 **absentee, special needs, or questioned ballot at that election.**

25 * **Sec. 4.** AS 15.07.070(d) is amended to read:

26 (d) Qualified voters may register in person before a registration official or
 27 through a voter registration agency at any time throughout the year. **A qualified voter**
 28 **who registers** [, EXCEPT THAT A PERSON REGISTERING] within 30 days **before**
 29 **or on the day of an election may vote only an absentee, special needs, or**
 30 **questioned ballot** [PRECEDING AN ELECTION IS NOT ELIGIBLE TO VOTE] at
 31 that election. **The division may not reject the absentee, special needs, or**

1 **questioned ballot of a qualified voter who registers within 30 days before or on**
 2 **the day of an election on the grounds that the voter is not on the official**
 3 **registration list for the election.** Upon receipt and approval of the registration forms,
 4 the director or the election supervisor shall forward to the voter an acknowledgment in
 5 the form of a registration card, and the voter's name shall immediately be placed on
 6 the master register. Names of persons registering 30 or more days before an election
 7 shall be placed on the official registration list for that election.

8 * **Sec. 5.** AS 15.07.090(b) is amended to read:

9 (b) A voter shall reregister if the voter's registration is cancelled as provided in
 10 AS 15.07.130. **A person reregistering under this subsection may vote only an**
 11 **absentee, special needs, or questioned ballot until** [THE REREGISTRATION IS
 12 EFFECTIVE FOR] the next election that occurs at least 30 days after the date of
 13 reregistration. **The division may not reject the absentee, special needs, or**
 14 **questioned ballot of a qualified voter who reregisters within 30 days before or on**
 15 **the day of an election on the grounds that the voter is not on the official**
 16 **registration list for the election.**

17 * **Sec. 6.** AS 15.07.090(c) is amended to read:

18 (c) The director shall transfer the registration of a voter from one precinct to
 19 another within a house district when requested by the voter. **If a** [THE] request **is**
 20 [SHALL BE] made **within** 30 [OR MORE] days before [THE] election day **or on**
 21 **election day, a person transferring registration to a new precinct may vote only**
 22 **an absentee, special needs, or questioned ballot. The division may not reject the**
 23 **absentee, special needs, or questioned ballot of a qualified voter who transfers**
 24 **registration within 30 days before or on the day of an election on the grounds**
 25 **that the voter is not on the official registration list for the election.** The director
 26 shall transfer the registration of a voter from one house district to another when
 27 requested by the voter. The voter must reside in the new house district for at least 30
 28 days in order to vote **a ballot for that district.**

29 * **Sec. 7.** AS 15.07.090(d) is amended to read:

30 (d) A person who claims to be a registered voter, but for whom no evidence of
 31 registration in the precinct can be found, **may vote only an absentee, special needs,**

1 **or questioned ballot. The division may not reject the absentee, special needs, or**
 2 **questioned ballot of a qualified voter who registers within 30 days before or on**
 3 **the day of an election on the grounds that the voter is not on the official**
 4 **registration list for the election** [SHALL BE GRANTED THE RIGHT TO VOTE
 5 IN THE SAME MANNER AS THAT OF A QUESTIONED VOTER AND THE
 6 BALLOT SHALL BE TREATED IN THE SAME MANNER. THE BALLOT
 7 SHALL BE CONSIDERED TO BE A "QUESTIONED BALLOT" AND SHALL BE
 8 SO DESIGNATED. THE DIRECTOR OR THE DIRECTOR'S REPRESENTATIVE
 9 SHALL DETERMINE WHETHER THE VOTER IS REGISTERED IN THE HOUSE
 10 DISTRICT BEFORE COUNTING THE BALLOT. A VOTER WHO HAS FAILED
 11 TO OBTAIN A TRANSFER AS PROVIDED IN (c) OF THIS SECTION SHALL
 12 VOTE A "QUESTIONED BALLOT" IN THE PRECINCT IN WHICH THE VOTER
 13 RESIDES].

14 * **Sec. 8.** AS 15.07.130(a) is amended to read:

15 (a) Periodically, at times of the director's choosing, but **not** [NO] less
 16 frequently than in January of each calendar year, the director shall examine the master
 17 register maintained under AS 15.07.120 and shall send, by **forwardable**
 18 [NONFORWARDABLE] mail to the voter's registration mailing address, **and to the**
 19 **voter's electronic mail address, if available,** a notice requesting address
 20 confirmation or correction. **The notice must explain that the voter's registration**
 21 **will be inactivated unless the voter responds to the notice within 45 days after the**
 22 **date the notice is sent. The director shall send the notice** to each voter

23 (1) whose mail from the division has been returned to the division in
 24 the two years immediately preceding the examination of the register;

25 (2) who has not contacted the division in the two years immediately
 26 preceding the examination of the register **and** [; OR (3)] who has not voted or
 27 appeared to vote in the two **years** [GENERAL ELECTIONS] immediately preceding
 28 the examination of the register; **or**

29 **(3) who, after registering to vote in this state and in the two years**
 30 **immediately preceding the examination of the register, has**

31 **(A) registered to vote in another state;**

1 (B) received a driver's license from another state;

2 (C) served on a jury in another state;

3 (D) received benefits under a claim of residency in another
 4 state, territory, or country; or

5 (E) established residence in another state, territory, or
 6 country.

7 * **Sec. 9.** AS 15.07.130(b) is amended to read:

8 (b) If a registered voter **does** [HAS] not **respond to a notice sent under (a) of**
 9 **this section within 45 days after the date the notice is sent, the director shall**
 10 **inactivate the voter's registration** [, WITHIN THE PRECEDING FOUR
 11 CALENDAR YEARS, CONTACTED THE DIVISION AND HAS NEITHER
 12 VOTED NOR APPEARED TO VOTE IN A LOCAL, REGIONAL SCHOOL
 13 BOARD, PRIMARY, SPECIAL, OR GENERAL ELECTION DURING THE LAST
 14 FOUR CALENDAR YEARS AND A NOTICE SENT TO THE VOTER UNDER (a)
 15 OF THIS SECTION WAS RETURNED AS UNDELIVERABLE, THE VOTER
 16 SHALL BE ADVISED BY A NOTICE SENT BY FORWARDABLE MAIL TO THE
 17 VOTER'S LAST KNOWN ADDRESS THAT REGISTRATION WILL BE
 18 INACTIVATED UNLESS THE VOTER RESPONDS TO THE NOTICE NO
 19 LATER THAN 45 DAYS AFTER THE DATE OF THE NOTICE SENT UNDER
 20 THIS SECTION]. The director shall maintain on the master register the name of a
 21 voter whose registration is inactivated. The director shall cancel a voter's inactive
 22 registration in accordance with the procedures set out in 42 U.S.C. 1973gg-6 (sec. 8,
 23 National Voter Registration Act of 1993) after the second general election that occurs
 24 after the registration becomes inactive if the voter does not contact the division or vote
 25 or appear to vote.

26 * **Sec. 10.** AS 15.07.130(d) is amended to read:

27 (d) The notice sent under **(a)** [(b)] of this section must include a postage
 28 prepaid and pre-addressed return card on which the voter may state the voter's current
 29 address. The notice must indicate

30 (1) that the voter should return the card not later than 45 days after the
 31 date of the notice if the voter did not change residence;

1 (2) that failure to return the card by the 45-day deadline could result in
2 removal of the voter's name from the official registration list for a subsequent election;

3 (3) that the voter's registration will be cancelled if the voter does not
4 contact the division during, or vote or appear to vote in an election held during, the
5 period beginning on the date of the notice and ending on the day after the last day of
6 the fourth calendar year that occurs after the date of notice; and

7 (4) how the voter can continue to be eligible to vote if the voter has
8 changed residence.

9 * **Sec. 11.** AS 15.07.130 is amended by adding new subsections to read:

10 (g) The division shall adopt regulations providing for regular review and
11 updates of the master register. The regulations must provide for review of the register
12 for data breaches, the number of registered voters compared to persons eligible to vote
13 in the state, and the names of deceased voters, persons convicted of a felony involving
14 moral turpitude, persons not qualified to vote under AS 15.05, and persons registered
15 to vote in another state. The regulations must specify records and databases for use in
16 reviewing the master register; the records and databases must include databases
17 sourced from governmental agencies outside the division, including the United States
18 Postal Service national change of address database, the database of permanent fund
19 dividend recipients, Alaska Court System databases, state motor vehicle records,
20 records of the state programs of corrections, property and sales tax records, records of
21 the federal social security system, municipal assessor databases, the United States
22 Social Security Administration death index, an alien database maintained by the
23 United States Department of Homeland Security, and jury duty records from other
24 jurisdictions. The director may compare the master register to state welfare and public
25 assistance agency databases to identify information relevant to registration to vote in
26 state elections, including address changes, deaths, and citizenship status, and shall
27 review the number of voters registered at each registration address to identify
28 anomalous registration totals.

29 (h) The director shall adopt a best practice voter registration system to
30 improve identity matching when comparing the master register with the records and
31 databases used to review the master register. The director shall develop a written

1 maintenance schedule and guideline manual for the system and provide a report on the
 2 system to the senate secretary and the chief clerk of the house of representatives on or
 3 before the first day of the first regular session of each legislature and shall notify the
 4 legislature that the report is available.

5 (i) The director shall, in a notice sent under (a) of this section, inform a voter
 6 of the criteria to qualify as a voter and the penalties for voter misconduct.

7 * **Sec. 12.** AS 15.07 is amended by adding a new section to read:

8 **Sec. 15.07.133. Process to cancel registration.** The director shall develop a
 9 process to allow a voter to cancel the voter's registration in person before an election
 10 official or electronically. The director shall prominently display instructions for a
 11 voter to cancel the voter's registration at each polling place.

12 * **Sec. 13.** AS 15.07.195 is amended by adding a new subsection to read:

13 (e) Unless disclosure of information related to a data breach of information
 14 made confidential by this section would compromise a criminal investigation, the
 15 director shall, not less than 30 days after discovering the breach, publish notice of the
 16 nature and severity of the breach on the division's Internet website and report the
 17 details of the breach to the president of the senate and the speaker of the house of
 18 representatives.

19 * **Sec. 14.** AS 15.13.116(a) is amended to read:

20 (a) A candidate who, after the date of the general, special, municipal, or
 21 municipal runoff election or after the date the candidate withdraws as a candidate,
 22 whichever comes first, holds unused campaign contributions shall distribute the
 23 amount held on February 1 for a general election or within 90 days after a special
 24 election. The distribution may only be made to

25 (1) pay bills incurred for expenditures reasonably related to the
 26 campaign and the winding up of the affairs of the campaign, including a victory or
 27 thank you party, thank you advertisements, and thank you gifts to campaign
 28 employees and volunteers, and to pay expenditures associated with post-election fund
 29 raising that may be needed to raise funds to pay off campaign debts;

30 (2) make donations, without condition, to

31 (A) a political party;

1 (B) the state's general fund;

2 (C) a municipality of the state; or

3 (D) the federal government;

4 (3) make donations, without condition, to organizations qualified as
5 charitable organizations under 26 U.S.C. 501(c)(3) if the organization is not controlled
6 by the candidate or a member of the candidate's immediate family;

7 (4) repay loans from the candidate to the candidate's own campaign
8 under AS 15.13.078(b);

9 (5) repay contributions to contributors, but only if repayment of the
10 contribution is made pro rata in approximate proportion to the contributions made
11 using one of the following, as the candidate determines:

12 (A) to all contributors;

13 (B) to contributors who have contributed most recently; or

14 (C) to contributors who have made larger contributions;

15 (6) **a legal fund established under AS 24.60.111** [ESTABLISH A
16 FUND FOR, AND FROM THAT FUND TO PAY, ATTORNEY FEES OR COSTS
17 INCURRED IN THE PROSECUTION OR DEFENSE OF AN ADMINISTRATIVE
18 OR CIVIL JUDICIAL ACTION THAT DIRECTLY CONCERNS A CHALLENGE
19 TO THE VICTORY OR DEFEAT OF THE CANDIDATE IN THE ELECTION];

20 (7) transfer all or a portion of the unused campaign contributions to an
21 account for a future election campaign; a transfer under this paragraph is limited to

22 (A) \$50,000, if the transfer is made by a candidate for governor
23 or lieutenant governor;

24 (B) \$10,000, if the transfer is made by a candidate for the state
25 senate;

26 (C) \$5,000, if the transfer is made by a candidate for the state
27 house of representatives; and

28 (D) \$5,000, if the transfer is made by a candidate for an office
29 not described in (A) - (C) of this paragraph;

30 (8) transfer all or a portion of the unused campaign contributions to a
31 public office expense term account; a transfer under this paragraph is subject to the

1 following:

2 (A) the authority to transfer is limited to candidates who are
3 elected to the state legislature;

4 (B) the public office expense term account established under
5 this paragraph may be used only for expenses associated with the candidate's
6 serving as a member of the legislature;

7 (C) all amounts expended from the public office expense term
8 account shall be annually accounted for under AS 15.13.110(a)(4);

9 (D) a transfer under this paragraph is limited to \$5,000
10 multiplied by the number of years in the term to which the candidate is elected
11 plus any accumulated interest; and

12 (E) unused campaign contributions transferred under this
13 paragraph must be disposed of as provided in (2), (3), or (5) of this subsection
14 at the end of the term of office immediately following the campaign for which
15 the contributions were received; and

16 (9) transfer all or a portion of the unused campaign contributions to a
17 municipal office account; a transfer under this paragraph is subject to the following:

18 (A) the authority to transfer is limited to candidates who are
19 elected to municipal office, including a municipal school board;

20 (B) the municipal office account established under this
21 paragraph may be used only for expenses associated with the candidate's
22 serving as mayor or as a member of the assembly, city council, or school
23 board;

24 (C) all amounts expended from the municipal office account
25 shall be annually accounted for under AS 15.13.110(a)(4);

26 (D) a transfer under this paragraph is limited to \$5,000; and

27 (E) unused campaign contributions transferred under this
28 paragraph must be disposed of as provided in (2), (3), or (5) of this subsection
29 at the end of the term of office immediately following the campaign for which
30 the contributions were received.

31 * **Sec. 15.** AS 15.15 is amended by adding a new section to read:

1 **Sec. 15.15.455. Risk-limiting audits.** (a) In addition to the ballot counting
 2 review conducted under AS 15.15.420 - 15.15.440, after each state election but before
 3 the certification of the ballot counting review under AS 15.15.450, the director shall
 4 conduct a risk-limiting audit of selected election results. The audit must be designed
 5 using statistical methods to limit the risk of certification of an election result that is
 6 inconsistent with the result that would be obtained by conducting a recount.

7 (b) The director shall adopt regulations necessary to implement and administer
 8 (a) of this section. The regulations must include a procedure for selecting which
 9 election results to audit and for notifying a candidate in a race subject to a risk-limiting
 10 audit of the audit. In adopting regulations under this subsection, the director shall
 11 consult recognized statistical experts, equipment vendors, and municipal clerks and
 12 shall consider best practices for conducting risk-limiting audits.

13 (c) A candidate and an organization or organized group that sponsors or
 14 opposes a ballot proposition or question seeking to protect the direct interests of the
 15 candidate, organization, or organized group during a risk-limiting audit may provide,
 16 at the candidate's, organization's, or organized group's own expense, one or more
 17 observers to witness the audit.

18 * **Sec. 16.** AS 15.20.030 is amended to read:

19 **Sec. 15.20.030. Preparation of ballots, envelopes, and other material.** The
 20 director shall provide ballots for use as absentee ballots in all districts. The director
 21 shall provide a secrecy sleeve in which the voter shall initially place the marked ballot,
 22 and shall provide an envelope with the prescribed voter's certificate on it, in which the
 23 secrecy sleeve with ballot enclosed shall be placed. The director shall prescribe the
 24 form of and prepare the voter's certificate, envelopes, and other material used in
 25 absentee voting. The voter's certificate shall include a declaration, for use when
 26 required, that the voter is a qualified voter in all respects, a blank for the voter's
 27 signature, and a space for recording the date that the voter executed the
 28 certificate. An envelope may not identify a voter's party affiliation [, A
 29 CERTIFICATION THAT THE AFFIANT PROPERLY EXECUTED THE
 30 MARKING OF THE BALLOT AND GAVE THE VOTER'S IDENTITY, BLANKS
 31 FOR THE ATTESTING OFFICIAL OR WITNESS, AND A PLACE FOR

1 RECORDING THE DATE THE ENVELOPE WAS SEALED AND WITNESSED].
 2 The envelope with the voter's certificate must include a notice that false statements
 3 made by the voter [OR BY THE ATTESTING OFFICIAL OR WITNESS] on the
 4 certificate are punishable by law.

5 * **Sec. 17.** AS 15.20.072 is amended by adding a new subsection to read:

6 (h) If a voter satisfies the requirements of (d) of this section, the division may
 7 not reject a voter's special needs ballot based on an error by an election official or
 8 representative on the register under (c) of this section or an error by a representative
 9 under (d) of this section.

10 * **Sec. 18.** AS 15.20.081(d) is amended to read:

11 (d) Upon receipt of an absentee ballot by mail, the voter [, IN THE
 12 PRESENCE OF A NOTARY PUBLIC, COMMISSIONED OFFICER OF THE
 13 ARMED FORCES INCLUDING THE NATIONAL GUARD, DISTRICT JUDGE
 14 OR MAGISTRATE, UNITED STATES POSTAL OFFICIAL, REGISTRATION
 15 OFFICIAL, OR OTHER PERSON QUALIFIED TO ADMINISTER OATHS,] may
 16 proceed to mark the ballot in secret, to place the ballot in the secrecy sleeve, to place
 17 the secrecy sleeve in the envelope provided, and to sign the voter's certificate on the
 18 envelope. **The** [IN THE PRESENCE OF AN OFFICIAL LISTED IN THIS
 19 SUBSECTION WHO SHALL SIGN AS ATTESTING OFFICIAL AND SHALL
 20 DATE THE SIGNATURE. IF NONE OF THE OFFICIALS LISTED IN THIS
 21 SUBSECTION IS REASONABLY ACCESSIBLE, AN ABSENTEE VOTER
 22 SHALL SIGN THE VOTER'S CERTIFICATE IN THE PRESENCE OF AN
 23 INDIVIDUAL WHO IS 18 YEARS OF AGE OR OLDER, WHO SHALL SIGN AS
 24 A WITNESS AND ATTEST TO THE DATE ON WHICH THE VOTER SIGNED
 25 THE CERTIFICATE IN THE INDIVIDUAL'S PRESENCE, AND, IN ADDITION,
 26 THE] voter shall certify, as prescribed in AS 09.63.020, under penalty of perjury, that
 27 the statements in the voter's certification are true.

28 * **Sec. 19.** AS 15.20.203(b) is amended to read:

29 (b) An absentee ballot **must be rejected** [MAY NOT BE COUNTED] if

30 (1) the voter has failed to properly execute the certificate;

31 (2) [AN OFFICIAL OR THE WITNESSES AUTHORIZED BY LAW

1 TO ATTEST THE VOTER'S CERTIFICATE FAIL TO EXECUTE THE
 2 CERTIFICATE, EXCEPT THAT AN ABSENTEE BALLOT CAST IN PERSON
 3 AND ACCEPTED BY AN ABSENTEE VOTING OFFICIAL OR ELECTION
 4 SUPERVISOR MAY BE COUNTED DESPITE FAILURE OF THE ABSENTEE
 5 VOTING OFFICIAL OR ELECTION SUPERVISOR TO PROPERLY SIGN AND
 6 DATE THE VOTER'S CERTIFICATE AS ATTESTING OFFICIAL AS REQUIRED
 7 UNDER AS 15.20.061(c);

8 (3) THE BALLOT IS NOT ATTESTED ON OR BEFORE THE
 9 DATE OF THE ELECTION;

10 (4) the ballot envelope and certificate, if delivered by mail after the
 11 day of the election [POSTMARKED],

12 (A) is not postmarked or is postmarked after [ON OR
 13 BEFORE] the date of the election; or

14 (B) is executed after the date of the election;

15 (3) [(5)] after the day of election, the ballot was delivered by a means
 16 other than mail; or

17 (4) [OR (6)] the voter voted

18 (A) in person and is a

19 (i) first-time voter who initially registered by mail or by
 20 facsimile or other electronic transmission approved by the director
 21 under AS 15.07.050, has not provided the identification required by
 22 AS 15.15.225(a), was not eligible for waiver of the identification
 23 requirement under AS 15.15.225(b), and has not provided the
 24 identifiers required in AS 15.07.060(a)(2) and (3) that can be verified
 25 through state agency records described in AS 15.07.055(e); or

26 (ii) voter other than one described in (i) of this
 27 subparagraph, did not provide identification described in
 28 AS 15.15.225(a), was not personally known by the election official,
 29 and has not provided the identifiers required in AS 15.07.060(a)(2) and
 30 (3); or

31 (B) by mail or electronic transmission, is a first-time voter who

1 initially registered by mail or by facsimile or other electronic transmission
 2 approved by the director under AS 15.07.050 to vote, has not met the
 3 identification requirements set out in AS 15.07.060, and does not submit with
 4 the ballot a copy of a

5 (i) driver's license, state identification card, current and
 6 valid photo identification, birth certificate, passport, or hunting or
 7 fishing license; or

8 (ii) current utility bill, bank statement, paycheck,
 9 government check, or other government document; an item described
 10 in this sub-subparagraph must show the name and current address of
 11 the voter.

12 * **Sec. 20.** AS 15.20.220(b) is amended to read:

13 (b) The state review board shall review and count absentee ballots under
 14 AS 15.20.081(e) and (h), **absentee ballots properly cured under AS 15.20.221**, and
 15 questioned ballots that have been forwarded to the director and that have not been
 16 reviewed or counted by a district counting board.

17 * **Sec. 21.** AS 15.20 is amended by adding a new section to read:

18 **Sec. 15.20.221. Procedure for curing uncounted ballot.** (a) If a voter's ballot
 19 is rejected because the certificate is missing a signature or the voter provided
 20 insufficient voter identification, the director shall immediately make a reasonable
 21 effort to contact the voter, explain the ballot deficiency, explain how the deficiency
 22 may be cured, and inform the voter of the deadline to cure the ballot. The director
 23 shall, within 24 hours, send a notice of deficiency by electronic mail to the voter's
 24 electronic mail address if the voter has provided an electronic mail address. If the
 25 voter has provided a telephone number, the director shall, within 24 hours, attempt to
 26 notify the voter of the deficiency by telephone call and text message. The director
 27 shall, within 48 hours, but not later than five days after election day, send a notice of
 28 deficiency by first class, nonforwardable mail to the address in the voter's registration
 29 record.

30 (b) A notice of deficiency must include a form for the voter to confirm that the
 31 voter returned a ballot to the division, provide a copy of a form of identification

1 accepted by the division under AS 15.15.225(a), and provide a signature. The director
 2 shall provide a printed copy of the form with the notice of deficiency mailed to the
 3 voter. The director shall also make the form available in a format that can be
 4 completed and returned electronically.

5 (c) The rejected ballot of a voter who received a notice of deficiency may be
 6 counted only if

7 (1) the voter returns the completed form sent with the notice of
 8 deficiency, the division receives the form within 14 days after election day, and the
 9 form confirms that the voter returned a ballot to the division;

10 (2) the voter provides a signature and includes a copy of a form of
 11 identification accepted by the division under AS 15.15.225(a); and

12 (3) the ballot is otherwise valid.

13 (d) A voter's rejected ballot may not be counted and the director shall, if
 14 applicable, send copies of the signature on the voter's return envelope to the attorney
 15 general for investigation if the voter returns the form and the form indicates that the
 16 voter did not return a ballot to the division.

17 * **Sec. 22.** AS 15.80 is amended by adding a new section to read:

18 **Sec. 15.80.006. Cybersecurity.** The director shall, by regulation, develop a
 19 cybersecurity program to defend the voter registration records kept by the division
 20 against cyber attacks and data breaches and enable the division to detect and recover
 21 from cyber attacks. The program must include cybersecurity training for election
 22 officials.

23 * **Sec. 23.** AS 15.80 is amended by adding a new section to read:

24 **Sec. 15.80.009. Deepfake disclosure requirement.** (a) A person may not
 25 make or retain the services of another to make an election-related communication that
 26 the person knows or reasonably should know includes a deepfake relating to a
 27 candidate or proposition without including the following disclosure statement with the
 28 election-related communication: "This communication has been manipulated or
 29 generated by artificial intelligence or by another means." If the election-related
 30 communication includes a print or video component, the statement must be placed in
 31 the election-related communication so the statement is easily discernible, and, for a

1 broadcast, cable, satellite, Internet, or other digital communication, the statement must
2 remain onscreen throughout the entirety of the election-related communication. In an
3 election-related communication that consists only of audio, the statement must be read

4 (1) at the beginning of the audio, at the end of the audio, and, if the
5 audio is longer than two minutes in duration, at least once every two minutes during
6 the audio; and

7 (2) in a manner that is easily heard.

8 (b) A person may not remove the disclosure statement described in (a) of this
9 section from an election-related communication that the person knows or reasonably
10 should know includes a deepfake.

11 (c) A person who violates (a) or (b) of this section is liable to a candidate or
12 proposition group for damages suffered as a result of the violation, full reasonable
13 attorney fees, and costs.

14 (d) A candidate or proposition group suffering damages as a result of an
15 election-related communication made in violation of (a) of this section, or the removal
16 of the disclosure statement from an election-related communication in violation of (b)
17 of this section, may bring an action for damages under (c) of this section, or for
18 injunctive relief to prohibit dissemination of the election-related communication.

19 (e) This section does not apply to

20 (1) a deepfake that constitutes satire or parody;

21 (2) a deepfake broadcast by a radio, television, cable, or satellite
22 provider as part of a newscast, news interview, news documentary, or on-the-spot
23 coverage of a news event, if the broadcast clearly acknowledges, through content or
24 disclosure, in a manner easily heard or read by the average listener or viewer, that
25 there are questions about the authenticity of the deepfake;

26 (3) a person who is paid to broadcast an election-related
27 communication made by another person.

28 (f) In this section,

29 (1) "deepfake" means an image, audio recording, or video recording of
30 an individual's appearance, conduct, or spoken words that has been created or
31 manipulated with machine learning, natural language processing, or another

1 computational processing technique in a manner to create a realistic but false image,
2 audio, or video that

3 (A) appears to a reasonable person to depict a real individual
4 saying or doing something that did not actually occur; or

5 (B) provides a fundamentally different understanding or
6 impression of an individual's appearance, conduct, or spoken words than the
7 understanding a reasonable person would have from an unaltered, original
8 version of the media;

9 (2) "election-related communication" means a communication that

10 (A) directly or indirectly identifies a candidate or proposition;
11 and

12 (B) is disseminated to an audience that includes voters who will
13 have the opportunity to vote on the candidate or proposition identified in the
14 communication;

15 (3) "proposition" has the meaning given in AS 15.13.065(c);

16 (4) "proposition group" means a person registered with the Alaska
17 Public Offices Commission to make expenditures in support of or in opposition to a
18 proposition under AS 15.13.050.

19 * **Sec. 24.** AS 24.60.080 is amended by adding a new subsection to read:

20 (l) A contribution toward a legal fund under AS 24.60.111 controlled by a
21 legislator is not a gift to the legislator if reported under AS 24.60.111.

22 * **Sec. 25.** AS 24.60 is amended by adding a new section to read:

23 **Sec. 24.60.111. Legal funds.** (a) A legislator may establish a legal fund to pay
24 attorney fees and costs incurred in an election contest, a challenge to the legislator's
25 eligibility to serve, a vote count, a review of absentee, special needs, or questioned
26 ballots, or a recount appeal.

27 (b) Notwithstanding AS 15.13, a legislator may at any time solicit and accept
28 contributions to a legal fund established under this section. The Alaska Public Offices
29 Commission shall adopt regulations

30 (1) relating to establishing a fund under this section;

31 (2) identifying allowable uses of money in and the disposition of

1 surplus money from a fund under this section; and

2 (3) requiring disclosure of contributions to and expenditures from a
3 fund under this section.

4 (c) A contribution to a fund established under this section is not subject to the
5 restrictions under AS 24.60.031 or 24.60.080.

6 (d) An individual required to register as a lobbyist under AS 24.45 may not
7 make a contribution to a legal fund under this section at any time the individual is
8 subject to the registration requirement under AS 24.45 and for one year after the date
9 of the individual's initial registration or its renewal. However, the individual may
10 make a contribution under this section to a legislator for a district in which the
11 individual is eligible to vote. An individual who is subject to the restrictions of this
12 subsection shall report to the Alaska Public Offices Commission, on a form provided
13 by the commission, each contribution made while required to register as a lobbyist
14 under AS 24.45. Upon request of the commission, the information required under this
15 subsection shall be submitted electronically. This subsection does not apply to a
16 representational lobbyist as defined in regulation by the commission.

17 * **Sec. 26.** AS 29.26.050 is amended by adding a new subsection to read:

18 (d) Except as a municipality may require for elections held only in specific
19 local election districts or service areas under (b) of this section, a person who has lived
20 within the municipality for at least 30 days, but who has not registered to vote in state
21 elections at a residence address within the municipality at least 30 days before a
22 municipal election, may vote only an absentee, special needs, or questioned ballot in
23 that election. The municipality may not reject the absentee, special needs, or
24 questioned ballot of a qualified voter who registers within 30 days before or on the day
25 of an election on the grounds that the voter is not on the official registration list for the
26 election.

27 * **Sec. 27.** This Act takes effect July 1, 2024.