

1 HB167
2 208785-1
3 By Representative Blackshear
4 RFD: Constitution, Campaigns and Elections
5 First Read: 02-FEB-21
6 PFD: 01/28/2021

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8 SYNOPSIS: Under existing law, an individual may not
9 vote more than once or attempt to vote more than
10 once in an election held within the state.

11 This bill would prohibit an Alabama voter
12 from voting or attempting to vote in this state and
13 also in another state.

14 Amendment 621 of the Constitution of Alabama
15 of 1901, now appearing as Section 111.05 of the
16 Official Recompilation of the Constitution of
17 Alabama of 1901, as amended, prohibits a general
18 law whose purpose or effect would be to require a
19 new or increased expenditure of local funds from
20 becoming effective with regard to a local
21 governmental entity without enactment by a 2/3 vote
22 unless: it comes within one of a number of
23 specified exceptions; it is approved by the
24 affected entity; or the Legislature appropriates
25 funds, or provides a local source of revenue, to
26 the entity for the purpose.

1 The purpose or effect of this bill would be
2 to require a new or increased expenditure of local
3 funds within the meaning of the amendment. However,
4 the bill does not require approval of a local
5 governmental entity or enactment by a 2/3 vote to
6 become effective because it comes within one of the
7 specified exceptions contained in the amendment.

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9 A BILL
10 TO BE ENTITLED
11 AN ACT

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13 Relating to voter fraud; to amend Sections 17-13-24
14 and 17-17-36, Code of Alabama 1975, to prohibit a voter in
15 this state from also voting in another state; and in
16 connection therewith would have as its purpose or effect the
17 requirement of a new or increased expenditure of local funds
18 within the meaning of Amendment 621 of the Constitution of
19 Alabama of 1901, now appearing as Section 111.05 of the
20 Official Recompilation of the Constitution of Alabama of 1901,
21 as amended.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Sections 17-13-24 and 17-17-36, Code of
24 Alabama 1975, are amended to read as follows:

25 "§17-13-24.

26 "Any voter in this state who ~~shall vote~~ votes more
27 than once, or ~~attempt~~ attempts to vote more than once, in any

1 primary election held in this state or another state, shall
2 ~~on conviction~~, be punished in the same manner as provided for
3 voting or attempting to vote more than once in a general
4 election.

5 "§17-17-36.

6 "Any ~~person~~ individual in this state who votes more
7 than once at any election held in this state, or ~~deposits more~~
8 ~~than one ballot for the same office as his or her vote at such~~
9 ~~election, or knowingly~~ another state, or attempts to vote when
10 he or she has knowledge that he or she is not entitled to do
11 so vote, or ~~is guilty of~~ commits any kind of ~~illegal~~ unlawful
12 or fraudulent voting, shall be guilty, ~~upon conviction~~ of a
13 Class C felony."

14 Section 2. Although this bill would have as its
15 purpose or effect the requirement of a new or increased
16 expenditure of local funds, the bill is excluded from further
17 requirements and application under Amendment 621, now
18 appearing as Section 111.05 of the Official Recompilation of
19 the Constitution of Alabama of 1901, as amended, because the
20 bill defines a new crime or amends the definition of an
21 existing crime.

22 Section 3. This act shall become effective
23 immediately following its passage and approval by the
24 Governor, or its otherwise becoming law.