

1 HB193
2 216630-1
3 By Representative Allen
4 RFD: Judiciary
5 First Read: 01-FEB-22

SYNOPSIS: Under existing law, it is unlawful for a person to pay, or for any elector to accept payment, either to vote or withhold his or her vote.

This bill would prohibit any person from paying or offering to pay an individual to obtain, deliver, or assist in completing another voter's absentee ballot.

This bill would also prohibit a person from accepting payment from another person for obtaining, delivering, or assisting in completing another voter's absentee ballot.

Amendment 621 of the Constitution of Alabama of 1901, as amended by Amendment 890, now appearing as Section 111.05 of the Official ReCompilation of the Constitution of Alabama 1901, as amended, prohibits a general law whose purpose or effect would be to require a new or increased expenditure of local funds from becoming effective with regard to a local governmental entity without enactment by

1 a 2/3 vote unless: it comes within a number of
2 specified exceptions; it is approved by the
3 affected entity; or the Legislature appropriates
4 funds, or provides a local source of revenue, to
5 the entity for the purpose.

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

13
14 A BILL
15 TO BE ENTITLED
16 AN ACT

17
18 Relating to elections; to prohibit a person from
19 paying or offering to pay an individual to obtain, deliver, or
20 assist in completing another voter's absentee ballot; to
21 prohibit a person from accepting payment from a person to
22 obtain, deliver, or assist in completing another voter's
23 absentee ballot; and in connection therewith would have as its
24 purpose or effect the requirement of a new or increased
25 expenditure of local funds within the meaning of Amendment 621
26 of the Constitution of Alabama of 1901, as amended by
27 Amendment 890, now appearing as Section 111.05 of the Official

1 Recompilation of the Constitution of Alabama of 1901, as
2 amended.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. (a) It shall be unlawful for any person
5 to pay or offer to pay an individual to assist in completing,
6 obtaining, or delivering another voter's absentee ballot.

7 (b) It shall be unlawful for any person to accept
8 payment from another person for assisting in completing,
9 obtaining, or delivering another voter's absentee ballot.

10 (c) Any individual who violates this section shall
11 be guilty of a Class D felony.

12 Section 2. Although this bill would have as its
13 purpose or effect the requirement of a new or increased
14 expenditure of local funds, the bill is excluded from further
15 requirements and application under Amendment 621, as amended
16 by Amendment 890, now appearing as Section 111.05 of the
17 Official Recompilation of the Constitution of Alabama of 1901,
18 as amended, because the bill defines a new crime or amends the
19 definition of an existing crime.

20 Section 3. This act shall become effective on the
21 first day of the third month following its passage and
22 approval by the Governor, or its otherwise becoming law.