

1 HB323  
2 156462-3  
3 By Representatives Davis, Sessions, Gaston, Pringle, Lee,  
4 Hammon, Moore (B) and Harbison  
5 RFD: Constitution, Campaigns and Elections  
6 First Read: 19-MAR-15

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ENROLLED, An Act,

Relating to voter registration; to add Section 17-4-6.1 to the Code of Alabama 1975, by prescribing the manner in which a county board of registrars investigates a report that a registered voter is deceased or becomes a nonresident of the precinct in which the person had been registered to vote.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-4-6.1 is added to the Code of Alabama 1975, to read as follows:

§17-4-6.1.

(a) To facilitate the continuous maintenance of the computerized statewide voter registration list, each county board of registrars shall investigate written reports from a family member of an elector, the inspector of an election precinct, the judge of probate, the sheriff, and the clerk of the circuit court that an elector registered to vote in a precinct has died or become a nonresident of the precinct in which he or she is registered to vote. The inspector, judge of probate, sheriff, or clerk of the circuit court shall provide the board of registrars, on a form to be prescribed by the Secretary of State, sufficient information to identify the elector in the statewide voter file and a statement as to the source and nature of the information upon which he or she

1 believes a person is deceased or has become a nonresident of  
2 the precinct in which he or she is registered to vote.

3 (b) To facilitate the continuous maintenance of the  
4 computerized statewide voter registration list, each county  
5 board of registrars shall investigate signed, written reports  
6 from a member of an elector's family that the elector is  
7 deceased. The family member shall complete a form to be  
8 prescribed by the Secretary of State identifying the name of  
9 the elector who is deceased, the name of the family member  
10 reporting the death, the relationship of the family member to  
11 the elector, and other identifying information as specified by  
12 the Secretary of State to facilitate investigation of the  
13 claim that the elector is deceased.

14 (c) Each county board of registrars, whenever it  
15 receives a written report provided in accordance with  
16 subsection (a) that an elector has become a nonresident of the  
17 precinct in which he or she is registered to vote, shall  
18 investigate and determine if the elector should be  
19 disqualified from the statewide voter registration list. Upon  
20 determining that the elector should be disqualified from the  
21 statewide voter registration list, the county board of  
22 registrars shall give notice to the elector of the proposed  
23 change in status by U.S. mail to the last known mailing  
24 address of the elector. The elector shall be provided 30 days  
25 to respond to the determination by the county board of

1 registrars and provide the registrars evidence as to his or  
2 her qualifications to remain a qualified elector at the  
3 residential address as recorded in his or her voter  
4 registration record.

5 (d) Each county board of registrars, whenever it  
6 receives a written report provided in accordance with  
7 subsection (a) or (b) that an elector is deceased, shall  
8 determine if the elector should be disqualified from the  
9 statewide voter registration list. If the information  
10 regarding the elector's death is based on official records  
11 maintained in the office of the judge of probate, sheriff, or  
12 clerk of the circuit court, the county board of registrars  
13 shall forthwith remove the elector from the statewide voter  
14 registration list without the requirement of further  
15 investigation. If the information regarding the elector's  
16 death is not based on official records maintained in the  
17 office of the judge of probate, sheriff, or clerk of the  
18 circuit court, the county board of registrars shall  
19 investigate to confirm whether the elector is deceased.

20 (e) To further the implementation of subsection (d),  
21 the State Registrar in the Department of Public Health may  
22 render a bill to the Department of Finance for any fee  
23 required pursuant to subdivision (4) of subsection (a) of  
24 Section 22-9A-22 when a county board of registrars requests

1 copies of records as part of its investigation of a report of  
2 an elector's death.

3 (f) The Secretary of State is granted rulemaking  
4 authority under the Alabama Administrative Procedure Act for  
5 establishing procedures and forms to be used in the  
6 implementation of this section.

7 Section 2. This act shall become effective 120 days  
8 following its passage and approval by the Governor, or its  
9 otherwise becoming law.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 21-APR-15.

Jeff Woodard  
Clerk

Senate

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03-JUN-15

Passed