

1 HB53
2 179143-1
3 By Representatives Baker and Davis
4 RFD: Constitution, Campaigns and Elections
5 First Read: 17-AUG-16

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8 SYNOPSIS: This bill would revise the process used by
9 the Secretary of State and local boards of
10 registrars to update current address information on
11 registered voters based on information supplied by
12 the United States Postal Service.

13
14 A BILL
15 TO BE ENTITLED
16 AN ACT

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18 To amend Section 17-4-30, Code of Alabama 1975,
19 relating to voter registration lists; to revise the process
20 used by the Secretary of State and local boards of registrars
21 to update current address information on registered voters
22 based on information supplied by the United States Postal
23 Service.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Section 17-4-30 of the Code of Alabama
26 1975, is amended to read as follows:

27 "§17-4-30.

1 "~~(a) Beginning in January 1997~~ February 2017, and in
2 ~~January~~ February of every fourth year thereafter, the boards
3 ~~of registrars shall mail a nonforwardable notice to all~~
4 ~~registered voters in the county. The notice shall be designed~~
5 ~~and provided for the boards of registrars by the Secretary of~~
6 ~~State. The notice shall be sent on a postcard providing~~
7 ~~general information on elections. The notice shall be mailed~~
8 ~~to the last known address of the voter appearing on the voter~~
9 ~~registration list. If the notice is returned to the boards of~~
10 ~~registrars indicating that the voter may have relocated, the~~
11 ~~board shall send a forwardable notice to the registered voter~~
12 ~~on which the voter may confirm his or her current address. The~~
13 ~~forwardable notice shall be mailed no later than 90 days after~~
14 ~~receipt of the returned nonforwardable notice~~ Secretary of
15 State shall utilize change-of-address information supplied by
16 the United States Postal Service through its licensees to
17 identify registered voters whose addresses may have changed.

18 "(b) (1) If the Secretary of State determines from
19 the information provided by the United States Postal Service
20 that a voter has moved to a different residence address that
21 is under the jurisdiction of the same board of registrars, the
22 board of registrars shall change the registration records of
23 that voter to show the new address, and the board of
24 registrars, or its agent, within 90 days after identifying the
25 potential change, shall send the voter a notice of the change
26 by forwardable mail including a postage prepaid preaddressed

1 return card on which the registered voter may verify or
2 correct his or her current address information.

3 "(2) If the Secretary of State determines from the
4 information provided by the United States Postal Service that
5 a voter has moved to a different residence address that is
6 under the jurisdiction of a different board of registrars, the
7 board of registrars, or its agent, within 90 days after
8 identifying the potential change, shall send the voter a
9 notice of the change by forwardable mail including a postage
10 prepaid and preaddressed return card on which the registered
11 voter may verify or correct his or her current address
12 information.

13 "(3) If the Secretary of State determines from the
14 information provided by the United States Postal Service that
15 a voter has moved to a different residence address outside of
16 the State of Alabama, the board of registrars, or its agent,
17 within 90 days after identifying the potential change, shall
18 send the voter a notice of the change by forwardable mail
19 including a postage prepaid and preaddressed return card on
20 which the registered voter may verify or correct his or her
21 current address information.

22 "(c) Notice provided to a registered voter pursuant
23 to subdivision (1), (2), or (3) of subsection (b) shall inform
24 the voter of all of the following:

25 "(1) If the voter did not change his or her
26 residence, or changed his or her residence but remained under
27 the jurisdiction of the same board of registrars, the voter

1 shall be required to return the card to that board of
2 registrars no later than the last day to register to vote
3 before an election.

4 "(2) If the card is not returned within the
5 specified time, the voter shall be required to complete a
6 voter registration update form before he or she is permitted
7 to vote in an election during the period beginning on the date
8 the notice was mailed and ending on the day after the date of
9 the second general election for federal office that occurs
10 after the date the notice was mailed.

11 "(3) If the voter does not update his or her voter
12 registration record or does not vote in an election during the
13 period beginning on the date the notice was mailed and ending
14 on the day after the date of the second general election for
15 federal office that occurs after the date the notice was
16 mailed, his or her name shall be removed from the list of
17 eligible voters.

18 "(4) If the voter has changed his or her residence
19 to an address outside of the jurisdiction of the board of
20 registrars under which he or she is then registered,
21 information concerning how the voter may maintain his or her
22 eligibility to vote.

23 "(d) The boards of registrars, or their respective
24 agents, shall record and maintain in the statewide voter
25 registration database the dates on which ~~the nonforwardable~~
26 notice ~~was~~ is mailed to a registered voter and the card is

1 returned to the board ~~and the date on which the forwardable~~
2 ~~notice was mailed to~~ by the registered voter.

3 "~~(b)~~ (e) The boards of registrars shall update the
4 ~~voter list for the county~~ statewide voter registration
5 database using the information reported to the board by the
6 registered voters on the ~~address confirmation~~ cards provided
7 for in ~~subsection (a)~~ this section.

8 "(f) If the registered voter does not respond to ~~the~~
9 ~~forwardable notice on which the registered voter may confirm~~
10 ~~his or her address~~ the notice provided in this section within
11 90 days of the date on which the notice was mailed or if the
12 ~~forwardable~~ notice is returned to the board of registrars as
13 undeliverable, the ~~boards~~ board of registrars, or its agent,
14 shall ~~place the name of the registered voter on the inactive~~
15 ~~list of registered voters and in a suspense file in the office~~
16 ~~of the board. The suspense file shall contain all of the~~
17 ~~following information:~~ change the status of the voter to
18 inactive and, in the statewide voter registration database,
19 shall indicate the date the change is recorded and that the
20 voter did not respond to the mailing or that the mailing was
21 returned as undeliverable, in a manner provided by rule
22 adopted by the Secretary of State pursuant to the Alabama
23 Administrative Procedure Act.

24 "~~(1)~~ ~~The name of the registered voter.~~

25 "~~(2)~~ ~~The last known address of the registered voter.~~

1 ~~"(3) At least the last four digits of the Social~~
2 ~~Security number or other personal identification number of the~~
3 ~~registered voter.~~

4 ~~"(4) The date on which the name of the registered~~
5 ~~voter was placed in the suspense file.~~

6 ~~"(c) The name of a registered voter who does not~~
7 ~~vote or appear to vote in one of the next two federal~~
8 ~~elections held after his or her name is placed in the suspense~~
9 ~~file shall be removed from the voter list.~~

10 ~~"(d)(g) The name of any voter who receives notice~~
11 ~~pursuant to this section and fails to update his or her voter~~
12 ~~registration record, or does not vote in an election during~~
13 ~~the period beginning on the date the notice is mailed and~~
14 ~~ending on the day after the date of the second general~~
15 ~~election for federal office that occurs after the date the~~
16 ~~notice is mailed, shall be removed from the list of eligible~~
17 ~~voters.~~ The names of persons to be removed from the list of
18 registered voters pursuant to this section shall be published
19 in accordance with Section 17-4-10.

20 ~~"(h) The Secretary of State shall promulgate rules~~
21 ~~as necessary to implement this section in accordance with the~~
22 ~~Alabama Administrative Procedure Act."~~

23 Section 2. This act shall become effective
24 immediately following its passage and approval by the
25 Governor, or its otherwise becoming law.