

1 HB603
2 151839-2
3 By Representative Sanderford
4 RFD: County and Municipal Government
5 First Read: 10-APR-13

1 ENGROSSED

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3
4 A BILL
5 TO BE ENTITLED
6 AN ACT

7
8 To amend Sections 17-4-1, 17-4-10, and 17-9-5, Code
9 of Alabama 1975, to remove the requirement to publish certain
10 lists of registered voters and inspectors and clerks and
11 election notices in a newspaper of general circulation in the
12 county; to require the information to be posted on a county
13 website and made available upon request at a reasonable cost
14 to the person making this request; to require the county to
15 place a display advertisement in a newspaper of general
16 circulation in the county identifying where voter list and
17 election notice information is available.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. Sections 17-4-1, 17-4-10, and 17-9-5,
20 Code of Alabama 1975, are amended to read as follows:

21 "§17-4-1.

22 "~~The~~ (a) On or before the twentieth day preceding
23 the regularly scheduled primary election, the judge of probate
24 shall publish from the state voter registration list post on
25 the website of the county a correct alphabetical list of
26 qualified electors from the state voter registration list
27 either by county, precinct, district, or subdivision wherein

1 each elector is registered to vote, ~~in some newspaper with~~
2 ~~general circulation in the county, on or before the twentieth~~
3 ~~day preceding the regularly scheduled primary election. If the~~
4 ~~county does not maintain a website, the list shall be posted~~
5 ~~on the website of the Association of County Commissions of~~
6 ~~Alabama. The list shall also be available upon request at no~~
7 ~~cost at a reasonable costs from the office of the judge of~~
8 ~~probate and copies shall be posted for review in other public~~
9 ~~buildings. In addition to the posting, the county shall give~~
10 ~~notice by placing a display advertisement at least one-half~~
11 ~~page in size once a week for two consecutive weeks in a~~
12 ~~newspaper with general circulation in the county meeting the~~
13 ~~requirements for publication of legal notices pursuant to~~
14 ~~Sections 6-8-60 and 6-8-64. Provided, however, for the first~~
15 ~~primary election following the reapportionment of the Alabama~~
16 ~~Legislature, the display advertisement shall be published in~~
17 ~~each newspaper with general circulation in the county meeting~~
18 ~~the requirements for publication of legal notices pursuant to~~
19 ~~Sections 6-8-60 and 6-8-64. The advertisement shall include~~
20 ~~the website address where the list can be obtained, state that~~
21 ~~the list will be available at no cost at a reasonable costs~~
22 ~~from the office of the judge of probate, and include contact~~
23 ~~information for the office of the judge of probate.~~

24 "(b) The list of qualified electors prepared by the
25 judge of probate shall be accompanied by a printed
26 certification generated by the state voter registration system
27 verifying that the list contains the names of all qualified

1 electors registered as of the specified time and date when it
2 was printed. The list shall further state that any elector
3 whose name was inadvertently omitted from the list shall have
4 10 days in which to have his or her name entered upon the list
5 of qualified voters.

6 "(c) If within 10 days after the list of qualified
7 electors is made available, any voter shall reasonably satisfy
8 the board of registrars by proper proof that any name should
9 be added to the list, the board shall add ~~such~~ the name of the
10 voter to the list. The supplemental list of registered voters
11 inadvertently omitted from the original list shall be
12 ~~published once in a newspaper of general circulation in the~~
13 ~~county~~ posted on the county's website or, if the county does
14 not maintain a website, on the website of the Association of
15 County Commissions of Alabama, on or before the seventh day
16 preceding the date of the primary election and the
17 availability of the list shall be noted in the display
18 advertisement required by subsection (a). ~~The lists required~~
19 ~~to be published pursuant to this section may be published, at~~
20 ~~the discretion of the county commission, as a preprinted or~~
21 ~~inserted advertising supplement at a cost no greater than the~~
22 ~~selected newspaper's lowest applicable national insertion~~
23 ~~rates. If the list is published as a preprinted supplement in~~
24 ~~the selected newspaper, the supplement size shall conform to~~
25 ~~the size requirements set by the selected newspaper and shall~~
26 ~~be printed on standard newsprint paper. The type size shall be~~
27 ~~no smaller than nine point standard type. The list shall also~~

1 ~~be delivered to the newspaper for insertion in a manner~~
2 ~~required for other advertising supplements. The supplement may~~
3 ~~not contain any other advertising. Any newspaper accepting a~~
4 ~~preprinted insertion that is not prepared by the newspaper~~
5 ~~shall not be responsible for the content of such insertion.~~
6 The list shall also be made available upon request at no cost
7 at a reasonable costs from the office of the judge of probate
8 and copies shall be posted for review in other public
9 buildings. Nothing in this section shall prohibit a county
10 commission from publishing the list of ~~voters~~ qualified
11 electors in ~~more than one~~ any newspaper within the county at
12 the county commission's discretion.

13 "§17-4-10.

14 "The names of persons in the county to be struck
15 from the list of registered voters shall be listed by precinct
16 and in alphabetical order and published in a newspaper of
17 general circulation in the county meeting the requirements for
18 publication of legal notices pursuant to Sections 6-8-60 and
19 6-8-64 once a week and posted on the county's website for at
20 least two consecutive weeks in November or December of each
21 year in which the statewide voter file maintenance is
22 conducted. If the county does not maintain a website, the list
23 shall be posted on the website of the Association of County
24 Commissions of Alabama. The list shall also be available at no
25 cost at a reasonable costs to the requestor from the judge of
26 probate's office and copies shall be posted for review in
27 other public buildings. Provided, however, for the first voter

1 file maintenance process following the reapportionment of the
2 Alabama Legislature, the list required by this section shall
3 be published in each newspaper with general circulation in the
4 county meeting the requirements for publication of legal
5 notices pursuant to Sections 6-8-60 and 6-8-64. The county
6 shall place a display advertisement at least one-quarter page
7 in size in a newspaper with general circulation in the county.
8 The advertisement shall include the website address where the
9 list can be obtained, state that the list will be available
10 upon request at no cost at a reasonable costs from the office
11 of the judge of probate, and include contact information for
12 the office of the judge of probate.

13 "§17-9-5.

14 "The judge of probate must give notice of each
15 election at least 30 days before ~~each~~ the election by
16 ~~publication in a newspaper of general circulation in the~~
17 ~~county, if any is published therein and, if not, by writings~~
18 ~~posted~~ posting notice on the county's website, at the
19 courthouse door, and at three other public places in the
20 ~~county, of .~~ If the county does not maintain a website, the
21 notice shall be posted on the website of the Association of
22 County Commissions of Alabama. In addition, the county shall
23 place a display advertisement of at least one-quarter page in
24 size in a newspaper with general circulation in the county
25 meeting the requirements for publication of legal notices
26 pursuant to Sections 6-8-60 and 6-8-64. The advertisement
27 shall include the website address where the notice of election

1 may be obtained. The notice of election available on the
2 website and at the courthouse and other public places shall
3 include the time of holding the election and the offices to be
4 filled by ~~such~~ the election. ~~Such~~ The notice shall consist
5 only of the date of the election and the officers to be voted
6 for or subjects to be voted on."

7 Section 2. This act shall become effective
8 immediately following its passage and approval by the
9 Governor, or its otherwise becoming law and shall apply to any
10 election cycle commencing after the effective date of the act.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on County and Mu-
nicipal Government..... 10-APR-13

Read for the second time and placed
on the calendar 1 amendment 16-APR-13

Read for the third time and passed
as amended..... 25-APR-13

Yeas 70, Nays 23, Abstains 4

Jeff Woodard
Clerk