

1 SB447
2 159810-1
3 By Senator Marsh
4 RFD: Constitution, Campaign Finance, Ethics, and Elections
5 First Read: 06-MAR-14

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8 SYNOPSIS: Under existing law, a political party may
9 appoint a poll watcher to observe a general
10 election, but not a primary election.

11 This bill would allow a political party to
12 appoint a poll watcher to observe a primary
13 election or second primary election.

14
15 A BILL
16 TO BE ENTITLED
17 AN ACT

18
19 Relating to elections; to amend Sections 17-8-7 and
20 17-13-11, Code of Alabama 1975, to allow a political party to
21 appoint a poll watcher to observe a primary election or second
22 primary election.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. Sections 17-8-7 and 17-13-11, Code of
25 Alabama 1975, are amended to read as follows:

26 "§17-8-7.

1 "(a) Except in the case of municipal elections, each
2 political party or organization having candidates nominated,
3 by a writing submitted to the inspector by the chair of the
4 county executive committee or nominees for office or beat
5 committeeman, may appoint a watcher for each voting place for
6 each primary, second primary, or general election. In the
7 event of an election in which there are no candidates, each
8 political party, through a writing submitted to the inspector
9 by the chair of the county executive committee, may appoint a
10 watcher for each voting place.

11 "(b) Watchers shall have the right to:

12 (1) Observe the conduct of the election.

13 "(2) Monitor the preliminaries of opening the polls.

14 "(3) Remain at the polling place throughout the
15 election until the results of the election have been posted
16 and the voting machines sealed, as provided by law.

17 "(4) Observe the ballots as they are counted.

18 "(5) Observe absentee ballots and affidavits when
19 they are called during the count.

20 "(6) See all oaths administered and signed, the
21 record of assisted voters, the list of qualified voters, the
22 poll lists, and any and all records made in connection with
23 the election.

24 "(c) Each watcher shall be sworn to faithfully
25 observe the rule of law prescribed for the conduct of
26 elections. Watchers may be present to be sworn in with the
27 precinct election officials, or as time allows, but so as not

1 to interfere with the election. Each watcher shall be a
2 resident and qualified elector of the State of Alabama.
3 Election officials, including returning officers, may not
4 serve as poll watchers.

5 "(d) A watcher may not disturb voters, attempt to
6 influence voters, campaign, or display or wear any campaign
7 material or buttons while inside any polling place.

8 "§17-13-11.

9 "~~A~~ In addition to any poll watcher appointed under
10 Section 17-8-7, a candidate who has qualified may have a
11 single watcher in the polling place, to be appointed in
12 writing over his or her own signature, and the appointment
13 shall be presented to and filed with the inspectors.
14 Subsections (b), (c), and (d) of Section 17-8-7 apply to
15 watchers appointed pursuant to this section."

16 Section 2. This act shall become effective on the
17 first day of the third month following its passage and
18 approval by the Governor, or its otherwise becoming law.