

1 SB317
2 136057-2
3 By Senator Pittman
4 RFD: Constitution, Campaign Finance, Ethics, and Elections
5 First Read: 14-FEB-12

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8 SYNOPSIS: Under existing law, the state is required to
9 reimburse counties for certain election expenses as
10 defined by law. Additionally, the law provides for
11 an Election Expense Reimbursement Committee to
12 identify other election expenses which should be
13 eligible for reimbursement prior to each election
14 cycle.

15 This bill would include expenses for certain
16 additional election activities in the definition of
17 election expenses. This bill would also alter the
18 makeup of the Election Expense Reimbursement
19 Committee, provide for the committee to recommend
20 additional election expenses eligible for
21 reimbursement to the Comptroller, and require the
22 Comptroller to explain to the committee if he or
23 she does not include an expense recommended by the
24 committee on the list of approved expenses.

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26 A BILL
27 TO BE ENTITLED

1 AN ACT

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3 To amend Sections 17-16-2 and 17-16-2.1, as amended
4 by Act 2011-147 of the 2011 Regular Session, of the Code of
5 Alabama 1975, relating to election expenses; to revise the
6 election expenses of a county for which reimbursement is made
7 and to alter the makeup and functions of the Election Expense
8 Reimbursement Committee.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Sections 17-16-2 and 17-16-2.1, as
11 amended by Act 2011-147 of the 2011 Regular Session, of the
12 Code of Alabama 1975, are amended to read as follows:

13 "§17-16-2.

14 "As used in this chapter, the term "expenses" shall
15 include, but not be limited to, the following items and any
16 other items approved as reimbursable expenses by the ~~Election~~
17 ~~Expense Reimbursement Committee~~ Comptroller pursuant to
18 Section 17-16-2.1:

19 "(1) The compensation and mileage provided by law
20 for election officials and any extraordinary labor costs
21 incurred by the county for election functions and duties,
22 including, but not limited to, compensation for temporary
23 workers and overtime for employees of the county or sheriff's
24 office, provided such additional costs are necessary and
25 directly related to functions and duties necessary for
26 conducting the election.

1 "(2) The compensation provided by law for the clerk
2 or other official acting as absentee election manager.

3 "(3) ~~The~~ Any necessary costs associated with
4 programming or testing election equipment prior to an election
5 and the costs of ballots, supplies, and other materials or
6 equipment necessary for election officials to conduct
7 elections as required by law and as certified by the judge of
8 probate as chief election official of the county.

9 "(4) The costs of absentee ballots, supplies,
10 postage, and other materials required by law to be furnished
11 to the absentee election manager.

12 "(5) The cost of preparing and furnishing the lists
13 of qualified electors to the election officials as required by
14 law.

15 "(6) The cost of publishing any notice or other item
16 related to any election and required by law, including, but
17 not limited to, the publication of notice of any election and
18 any voter lists.

19 "(7) Any other reasonable and necessary election
20 costs not specifically set out herein provided adequate
21 documentation of the expense and reason therefor is submitted
22 by the county seeking reimbursement.

23 "§17-16-2.1.

24 "(a) There is hereby established an Election Expense
25 Reimbursement Committee designated to identify any election
26 costs not included in Section 17-16-2, which ~~costs shall~~
27 should be included considered as a reimbursable election

1 expense under this chapter. The committee shall consist of the
2 following:

3 "(1) A member of the Governor's staff designated by
4 the Governor.

5 ~~"(1)"~~ (2) The President Pro Tempore of the Alabama
6 Senate.

7 ~~"(2)"~~ (3) The Speaker of the Alabama House of
8 Representatives.

9 ~~"(3)"~~ (4) The Secretary of State or his or her
10 designee.

11 ~~"(4)"~~ (5) The Director of Finance or his or her
12 designee.

13 ~~"(5)"~~ (6) The chair of the Senate Constitution,
14 Campaign Finance, Ethics and Election Committee or its
15 successor committee.

16 ~~"(6)"~~ (7) The chair of the House Constitution,
17 Campaign and Elections Committee or its successor committee.

18 ~~"(7)"~~ (8) The chair of the Senate Finance and Taxation
19 General Fund Committee or its successor committee.

20 ~~"(8)"~~ (9) The chair of the House Ways and Means
21 General Fund Committee or its successor committee.

22 "(10) The Director of the Legislative Fiscal Office
23 or his or her designee.

24 "(11) The President of the Association of County
25 Commissions of Alabama.

26 "(12) The President of the Alabama Probate Judges
27 Association.

1 "(b) The committee shall meet not less than 90 days
2 prior to ~~the any~~ state primary ~~set for June 2012~~ to develop
3 ~~and approve the~~ a list of reimbursable expenses for the
4 upcoming election cycle. ~~After~~ Once the list has been approved
5 by the committee, it shall be forwarded to the Comptroller's
6 office. The Comptroller shall determine which items included
7 on the recommended list shall be approved for reimbursement to
8 counties. If the Comptroller does not include an item on the
9 recommended list on the list of approved expenses, the
10 Comptroller shall provide the committee with a detailed
11 explanation of the reasons therefor. The Comptroller shall
12 distribute the list of approved expenses to the chair of each
13 county commission and each probate judge in the state no later
14 than 60 days prior to the date of the primary. The list of
15 approved expenses shall apply in all elections and remain in
16 effect until and unless amended by the ~~committee~~ Comptroller
17 at least 90 days prior to the primary in a subsequent election
18 cycle."

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