

1 SB109
2 116065-1
3 By Senators Ross and Smitherman
4 RFD: Constitution, Campaign Finance, Ethics, and Elections
5 First Read: 12-JAN-10

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8 SYNOPSIS: Under existing law, the signed voters' poll
9 list is delivered to the judge of probate in
10 general and special elections and to the party
11 chair in primary elections.

12 This bill would provide that after the
13 expiration of the election contest filing period,
14 the signed voters' polls list shall become an open
15 record of the political party.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
20

21 To amend Section 17-9-15, Code of Alabama 1975,
22 relating to the disposition of election records and forms
23 after the close of the polls, to provide that after the
24 expiration of the election contest filing period, the signed
25 voters' poll list shall become an open record of the political
26 party.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 17-9-15, Code of Alabama 1975, is
2 amended to read as follows:

3 "§17-9-15.

4 "After the close of the polls in all primary,
5 special, general, and municipal elections held in the state,
6 the records and forms produced at the polling places shall be
7 returned as follows:

8 "(1) The list of registered voters, the affirmations
9 of provisional voters, the statements of election officials
10 challenging provisional voters, and the voter reidentification
11 forms shall be sealed in an envelope addressed to the board of
12 registrars and the inspectors and any poll watchers present
13 shall sign across the seal. The board of registrars shall hold
14 the list of registered voters as a public record while using
15 it to update their voter histories in accordance with Article
16 2 of Chapter 4. The list shall then be returned to the city
17 clerk in municipal elections and the judge of probate in all
18 other elections.

19 "(2) The signed voters' poll list shall be sealed in
20 an envelope and the inspectors and any poll watchers present
21 shall sign across the seal. The envelope shall be delivered to
22 the judge of probate in general and special elections and to
23 the party chairs in primary elections. The signed voters' poll
24 list shall remain sealed until the time has passed for the
25 filing of an election contest. After the expiration of the
26 election contest filing period, the signed voters' poll list
27 shall become an open record of the political party for its

1 unlimited use. The "clerk's poll list" shall be sealed in an
2 envelope labeled "records of election" and the inspector and
3 any poll watchers present shall sign across the seal and the
4 envelope shall be placed in a "records of election" container
5 and remain there during the period of time for the initiation
6 of an election contest or recount as provided by law. The
7 "records of election" container shall be delivered to the city
8 clerk in municipal elections and the sheriff in all other
9 elections to be retained in accordance with state and federal
10 law."

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