

1 SB500  
2 119189-2  
3 By Senators French, Waggoner, Erwin, Ross, and Smitherman  
4 RFD: Constitution, Campaign Finance, Ethics, and Elections  
5 First Read: 04-MAR-10

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4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

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11 To authorize persons absent from the state on  
12 military duty, mission assignment, or other similar purposes  
13 to designate a place of residence in this state; and to  
14 specify that the designation would not be effective for the  
15 purpose of voter registration or qualification for elected  
16 office.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. For the purposes of this act, the  
19 following words shall have the following meanings:

20 (1) DECLARATION OF RESIDENCE. Any written document  
21 which conveys a person's intention to designate any place  
22 within this state as his or her place of residence.

23 (2) PERSON. Whether used in the singular or plural  
24 form, a natural person who is a citizen of the United States.  
25 When used in reference to the designation of a place of  
26 residence, the word "person" shall include any dependent minor  
27 child of a person.

1           (3) PLACE or PLACE OF RESIDENCE. A physical location  
2 which is capable of habitation and may be described in any way  
3 reasonably calculated to locate the same.

4           (4) RESIDENT. A lawful citizen of this state for all  
5 legal purposes other than registration to vote or  
6 qualification for elected office.

7           Section 2. (a) Any person who is absent from this  
8 state on military duty, eleemosynary journey, mission  
9 assignment, or other similar venture may designate any place  
10 within the State of Alabama as his or her residence. Upon  
11 filing a notarized declaration of residence with the judge of  
12 probate of the county in which the designated place of  
13 residence is located, the person and his or her dependent  
14 children shall thereafter be considered residents of that  
15 designated place for all purposes under the law.

16           (b) The judge of probate of the county, upon receipt  
17 of a declaration of residency, shall file the same within the  
18 public record of his or her office.

19           (c) Notwithstanding the foregoing, a person filing a  
20 declaration of residence under this section shall not be  
21 eligible to register to vote or qualify for an elected office  
22 unless that person otherwise meets the requirements of law to  
23 register to vote or to qualify for elected office.

24           (d) In the event a person has filed a declaration of  
25 residence as provided in this section and otherwise meets all  
26 requirements of law to register to vote or to qualify for  
27 elected office, then that person may also register to vote or

1       qualify for elected office at the place of residence  
2       designated pursuant to this section.

3               (e) Notwithstanding the foregoing, the filing of a  
4       declaration of residence under this section does not establish  
5       permanent residency for the person filing the declaration for  
6       the purposes of eligibility for the Alabama G.I. and  
7       Dependents' Educational Benefit Act, Sections 31-6-1 through  
8       31-6-17, Code of Alabama 1975.

9               Section 3. All laws or parts of laws which conflict  
10       with this act are repealed.

11              Section 4. 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.

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Senate

Read for the first time and referred to the Senate  
committee on Constitution, Campaign Finance, Eth-  
ics, and Elections ..... 04-MAR-10

Read for the second time and placed on the calen-  
dar 1 amendment ..... 25-MAR-10

Read for the third time and passed as amended ... 14-APR-10

Yeas 31  
Nays 0

McDowell Lee  
Secretary