

1 HB164
2 204046-1
3 By Representative Hill
4 RFD: Constitution, Campaigns and Elections
5 First Read: 06-FEB-20

SYNOPSIS: Under existing law and pursuant to Act 2019-529, candidates for office at any level of government have five days to file a statement of economic interests with the State Ethics Commission after officially qualifying to run for office.

This bill would provide that for purposes of 2020 municipal elections, candidates for municipal office must file their statement of economic interests simultaneously with the date they qualify to run for office and that the provisions of Act 2019-529 do not apply to municipal elections until after January 1, 2021.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 36-25-15, Code of Alabama 1975, as amended by Act 2019-529, relating to the increase of time during which a candidate must file a statement of economic

1 interests to provide that the increase in time provided for in
2 Act 2019-529 shall not be effective for candidates for
3 municipal elections until January 1, 2021.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. Section 36-25-15 of the Code of Alabama
6 1975, as amended by Act 2019-529, is amended to read as
7 follows:

8 "§36-25-15.

9 "(a) Candidates Except as provided in subsection
10 (c), candidates at every level of government shall file a
11 completed statement of economic interests for the previous
12 calendar year with the State Ethics Commission not more than
13 five days after the candidate files his or her qualifying
14 papers with the appropriate election official or in the case
15 of an independent candidate, not more than five days after the
16 date the person complies with the requirements of Section
17 17-9-3. Nothing in this section shall be deemed to require a
18 second filing of the person's statement of economic interests
19 if a current statement of economic interests is on file with
20 the commission.

21 "(b) Each election official who receives a
22 declaration of candidacy or petition to appear on the ballot
23 for election from a candidate, within five days of the
24 receipt, shall notify the commission of the name of the
25 candidate, as defined in this chapter, and the date on which
26 the person became a candidate. The commission, within five
27 business days of receipt of the notification, shall notify the

1 election official whether the candidate has complied with this
2 section.

3 "(c) Other provisions of the law notwithstanding, if
4 a candidate does not submit a statement of economic interests
5 or when applicable, an amended statement of economic interests
6 in accordance with the requirements of this chapter, the name
7 of the person shall not appear on the ballot and the candidate
8 shall be deemed not qualified as a candidate in that election.
9 Notwithstanding the foregoing, the commission, for good cause
10 shown, may allow the candidate an additional five days to file
11 the statement of economic interests. If a candidate is deemed
12 not qualified, the appropriate election official shall remove
13 the name of the candidate from the ballot.

14 "(d) Candidates for municipal office in 2020 shall
15 file a completed statement of economic interests for the
16 previous calendar year with the State Ethics Commission
17 simultaneously with the date the candidate files his or her
18 qualifying papers with the appropriate election official.
19 Beginning on January 1, 2021, candidates for municipal office
20 shall file a completed statement of economic interests as
21 provided in subsection (a)."

22 Section 2. This act shall become effective
23 immediately following its passage and approval by the
24 Governor, or its otherwise becoming law.