

1 HB116
2 213789-4
3 By Representative Standridge
4 RFD: Ways and Means General Fund
5 First Read: 02-FEB-21
6 PFD: 01/26/2021

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ENROLLED, An Act,

Relating to elections; to authorize the Secretary of State to conduct a one-time post-election audit after the November 8, 2022, general election to determine the accuracy of the originally reported outcome of the election.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) This act shall be known and may be cited as the Alabama Voter Confidence Act.

(b) Notwithstanding any other law to the contrary, the Secretary of State may conduct a limited post-election audit of the November 8, 2022, statewide general election, as provided in this subsection.

(1) The post-election audit shall be conducted no earlier than November 30, 2022, and no later than January 31, 2023.

(2) Upon receiving from the county commission and judge of probate a request of a county to be added to a list of applicants, the Secretary of State may select up to three applicants to participate in the audit. To the extent possible, the three counties selected shall reflect the gender, race, and geographical areas of the state. The audit shall be conducted upon only one voting location in the county on only one statewide office selected by the Secretary of

1 State and on one county office in each of the three selected counties.

2 (3) In the three selected counties, the Secretary of
3 State shall consult with the respective judge of probate and
4 sheriff to select the day to conduct the audit and the county
5 office to be audited.

6 (4) To begin the audit process, the Secretary of
7 State shall file a petition with the presiding circuit judge
8 for the county stating the specific reason for the petition
9 and include the specific voting location and races to be
10 audited, and shall request a protective order in addition to
11 the relief requested. If the circuit judge grants the
12 petition, the judge shall deliver a written order to the
13 respective judge of probate and sheriff granting them
14 authority to open the appropriate ballot boxes and provide any
15 other necessary election materials in order for the audit to
16 be conducted. The order shall include the name of the voting
17 location and the names of the statewide office and the county
18 office to be audited. If the circuit judge does not grant the
19 petition, the audit shall be considered concluded.

20 (5) Poll workers shall be appointed to conduct the
21 post-election audit, and appointments shall be made in the
22 same manner as for any other election activity.

23 (c) All expenses incurred by any county pursuant to
24 this section shall be reimbursed from federal funds made
25 available for use by the Secretary of State. If no federal

1 funds are available, the Secretary of State shall be
2 responsible for all costs associated with the audit.

3 (d) The judge of probate shall make all results from
4 the post-election audit public by posting the results on the
5 courthouse door at the conclusion of the audit and posting the
6 results on the official website of the Secretary of State.

7 (e) The Secretary of State shall report all findings
8 of the post-election audit to the Governor and the Legislature
9 within 30 days of completion of the audit.

10 Section 2. This act shall become effective
11 immediately following its passage and approval by the
12 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 09-FEB-21.

Jeff Woodard
Clerk

Senate	22-APR-21	Amended and Passed
House	29-APR-21	Passed, as amended by Conference Com- mittee Report
Senate	04-MAY-21	Passed, as amended by Conference Com- mittee Report