

1 HB123  
2 204066-2  
3 By Representative Faulkner  
4 RFD: Constitution, Campaigns and Elections  
5 First Read: 02-FEB-21  
6 PFD: 01/26/2021

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8       SYNOPSIS:               Under existing law, a registered voter or a  
9                               minor in the legal custody of a registered voter,  
10                              who is a victim of domestic violence and has been  
11                              issued an order pursuant to the Domestic Violence  
12                              Protection Order Enforcement Act, can submit a  
13                              signed written affidavit requesting that the  
14                              Secretary of State omit the residential and mailing  
15                              address of the registered voter on any generally  
16                              available list of registered voters.

17                             This bill would permit a registered voter or  
18                             the spouse of a registered voter, who is a federal  
19                             or state prosecutor, federal, state, probate, or  
20                             municipal judge, or law enforcement officer, to  
21                             submit a signed written affidavit requesting that  
22                             the Secretary of State omit all information except  
23                             the name of the registered voter or the spouse of  
24                             the registered voter.

25  
26                                             A BILL  
27                                             TO BE ENTITLED

1 AN ACT

2  
3 Relating to voter registration lists; to amend  
4 Section 17-4-33, Code of Alabama 1975, to permit a registered  
5 voter or the spouse of a registered voter, who is a federal or  
6 state prosecutor, federal, state, probate, or municipal judge,  
7 or law enforcement officer, to submit a signed written  
8 affidavit requesting that the Secretary of State omit all  
9 information except the name of the registered voter or the  
10 spouse of the registered voter.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Section 17-4-33, Code of Alabama 1975, is  
13 amended to read as follows:

14 "§17-4-33.

15 "(a) The State of Alabama shall provide, through the  
16 Secretary of State, a nondiscriminatory, single, uniform,  
17 official, centralized, interactive computerized statewide  
18 voter registration list defined, maintained, and administered  
19 by the Secretary of State, with advice from the Voter  
20 Registration Advisory Board and the President of the Alabama  
21 Probate Judges Association, which contains the name and  
22 registration information of every legally registered voter in  
23 the state. The computerized list shall comply with the  
24 following requirements:

25 "(1) It shall serve as the single system for storing  
26 and managing the official list of registered voters throughout  
27 the state.

1           "(2) It shall contain the name, address, and voting  
2 location, as well as other information deemed necessary by the  
3 Voter Registration Advisory Board or the Secretary of State,  
4 of every legally registered voter in the state.

5           "(3) A unique identifier shall be assigned to each  
6 legally registered voter in the state.

7           "(4) It shall contain the voting history of each  
8 registered voter.

9           "(5) It shall be coordinated with the driver's  
10 license database of the Department of Public Safety and the  
11 appropriate state agency to assist in the removal of deceased  
12 voters.

13           "(6) Any election official in the state, including  
14 any local election official, may obtain immediate electronic  
15 access to the information contained in the computerized list.

16           "(7) All voter registration information obtained by  
17 any registrar in the state shall be electronically entered  
18 into the computerized list on an expedited basis at the time  
19 information is provided to the registrar.

20           "(8) The Secretary of State shall provide such  
21 support as may be required so that registrars are able to  
22 enter voter registration information.

23           "(9) It shall serve as the official voter  
24 registration list for the conduct of all elections.

25           "(10) Following each state and county election, the  
26 Secretary of State shall provide one electronic copy of the  
27 computerized voter list free of charge to each political party

1 that satisfied the ballot access requirements for that  
2 election. The electronic copy of the computerized voter list  
3 shall be provided within 30 days of the certification of the  
4 election or upon the completion of the election vote history  
5 update following the election, whichever comes first. In  
6 addition, upon written request from the chair of a political  
7 party, the Secretary of State shall furnish up to two  
8 additional electronic copies of the computerized voter file  
9 during each calendar year to each political party that  
10 satisfied the ballot access requirements during the last  
11 statewide election held prior to that calendar year. The  
12 electronic copies provided pursuant to this section shall  
13 contain the full, editable data as it exists in the  
14 computerized voter list maintained by the Secretary of State.

15 "(11) The list shall be maintained so that it is  
16 technologically secure.

17 "(b) The Secretary of State, or judge of probate, or  
18 absentee election manager, or municipal clerk, or registrar  
19 shall include the name and omit ~~the residential and mailing~~  
20 ~~address~~ all other information of a registered voter on any  
21 generally available list of registered voters, except for  
22 those lists provided to federal and state agencies, upon the  
23 written signed affidavit of the registered voter to the board  
24 of registrars of the county in which the individual is  
25 registered or intends to register, affirming ~~either~~ one of the  
26 following:

1           "(1) That the registered voter, or a minor who is in  
2 the legal custody of the registered voter, is or has been the  
3 victim of domestic violence as provided in Article 7,  
4 commencing with Section 13A-6-130, of Chapter 6 of Title 13A.

5           "(2) That a domestic violence order is or has been  
6 issued by a judge or magistrate pursuant to the Domestic  
7 Violence Protection Order Enforcement Act, to restrain access  
8 to the registered voter or a minor who is in the legal custody  
9 of the registered voter.

10           "(3) That the registered voter is a federal or state  
11 prosecutor, federal, state, probate, or municipal judge, or  
12 law enforcement officer as defined in Chapter 21 of Title 36  
13 or the spouse of a federal or state prosecutor, federal,  
14 state, probate, or municipal judge, or law enforcement officer  
15 as defined in Chapter 21 of Title 36. The Secretary of State  
16 shall develop and provide to each county the affidavit to be  
17 completed under this subsection."

18           Section 2. This act shall become effective  
19 immediately following its passage and approval by the  
20 Governor, or its otherwise becoming law.