

1 HB145  
2 208830-1  
3 By Representative Hurst  
4 RFD: Constitution, Campaigns and Elections  
5 First Read: 02-FEB-21  
6 PFD: 01/26/2021

SYNOPSIS: Existing law provides that a qualified voter who has a permanent disability preventing his or her attendance at the polls may vote by absentee ballot.

This bill would provide that a qualified voter who is blind or visually impaired, if verified by the Alabama Institute for Deaf and Blind, may vote by absentee ballot.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to elections; to amend Section 17-11-3.1, Code of Alabama 1975; to provide that a qualified voter who is visually impaired may vote by absentee ballot under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-11-3.1, Code of Alabama 1975, is amended to read as follows:

1           "§17-11-3.1.

2           "(a) Notwithstanding Sections 17-11-3, 17-11-4, and  
3 17-11-5, a qualified voter who has a permanent disability  
4 preventing his or her attendance at the polls may vote by  
5 absentee ballot in accordance with this section.

6           "(b) The Secretary of State shall adopt rules that  
7 provide a process for a voter who has a permanent disability  
8 to be placed on an absentee voter list and have a ballot  
9 automatically mailed to him or her before each election. The  
10 rules shall include, but not be limited to, all of the  
11 following:

12           "(1) An application procedure for permanently  
13 disabled voters to vote by absentee ballot on an on-going  
14 basis. The procedure shall require that the application form  
15 be signed and notarized by the disabled voter's primary  
16 physician.

17           "(2) A procedure for verifying the identity of a  
18 voter and determining that the voter has a permanent  
19 disability preventing his or her attendance at the polls.

20           "(3) A procedure for the voter to apply to the  
21 absentee ballot manager on an annual basis.

22           "(4) A procedure for automatically mailing absentee  
23 ballots before each election in a timely manner to permanently  
24 disabled voters who have been placed on the absentee voter  
25 list.

26           "(c) Notwithstanding Sections 17-11-3, 17-11-4, and  
27 17-11-5, a qualified voter who is blind or visually impaired

1 and confirmed as blind or visually impaired by the Alabama  
2 Institute for Deaf and Blind through a written signed  
3 affidavit may vote by absentee ballot in accordance with this  
4 section.

5 "(d) The Secretary of State shall adopt rules that  
6 provide a process for a voter who is confirmed as blind or  
7 visually impaired to be placed on an absentee voter list and  
8 have a ballot automatically transmitted to him or her before  
9 each election. The rules shall include, but not be limited to,  
10 all of the following:

11 "(1) An application procedure for a voter who is  
12 blind or visually impaired to vote by absentee ballot on an  
13 ongoing basis.

14 "(2) A procedure for automatically transmitting  
15 absentee ballots before each election in a timely manner to  
16 voters who are blind or visually impaired."

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