

1 HB533
2 210997-1
3 By Representatives Bedsole, Moore (P), Moore (M), Stringer,
4 Mooney and Ellis
5 RFD: Constitution, Campaigns and Elections
6 First Read: 11-MAR-21

SYNOPSIS: Under existing law, in nonfederal elections, sheriffs must preserve cast ballots for a period of six months following an election, unless an election is contested, in which case the ballots must be preserved until the contest is resolved.

Also under existing law, sheriffs must preserve unused absentee election material for a period of 18 months following a nonfederal election.

This bill would provide that unused absentee election material must be preserved for a period of six months following a nonfederal election, unless an election is contested.

A BILL
TO BE ENTITLED
AN ACT

Relating to elections; to amend Section 17-11-19, Code of Alabama 1975, to revise the number of months that

1 unused absentee election material must be preserved following
2 certain elections.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 17-11-19, Code of Alabama 1975,
5 is amended to read as follows:

6 "§17-11-19.

7 "(a) Each person, firm, or entity supplying to any
8 county or municipality any absentee affidavit envelopes,
9 absentee ballots, or other absentee election materials in
10 connection with any primary, general, special, or municipal
11 election shall, at the time of the shipment or delivery ~~of the~~
12 ~~same~~, provide to the county or municipality, and to the
13 Secretary of State, an itemized and signed statement showing a
14 description and the quantity of each item so shipped or
15 delivered.

16 "(b) Upon the conclusion of the election, the
17 absentee election manager shall return all unused absentee
18 election materials to the sheriff of the respective county
19 along with an itemized, signed statement showing the
20 description and quantity of each item of absentee election
21 material not utilized by the county or municipality in the
22 election then concluded, and the unused absentee election
23 materials shall be maintained for ~~the period of time~~
24 ~~prescribed by applicable law and, in no event, less than 18~~
25 six months.

26 "(c) Notwithstanding subsection (b), if within six
27 months of an election, the sheriff is notified that the

1 election of an officer for which the election was held will be
2 contested, the sheriff shall preserve the unused absentee
3 election materials until the contest is finally determined or
4 until the materials are demanded by some legally constituted
5 custodian during the contest."

6 Section 2. This act shall become effective on the
7 first day of the third month following its passage and
8 approval by the Governor, or its otherwise becoming law.