

1 SB370
2 212356-1
3 By Senators Singleton, Figures, Coleman-Madison, Hatcher,
4 Smitherman and Beasley
5 RFD: Governmental Affairs
6 First Read: 01-APR-21

SYNOPSIS: Existing law does not provide for curbside voting.

This bill would provide a process for curbside voting for electors with disabilities or under certain circumstances specified by the Secretary of State.

This bill would require the Secretary of State to adopt rules.

A BILL
TO BE ENTITLED
AN ACT

Relating to voting; to authorize curbside voting for disabled electors and when prescribed by the Secretary of State; and to require the Secretary of State to adopt rules.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For purposes of this section, "curbside voting" means the process by which an eligible elector completes and casts a ballot at a designated location

1 outside a polling place under the observation of election
2 officials.

3 (b) (1) An elector is eligible to request curbside
4 voting if the elector is disabled, pregnant, or authorized to
5 make the request in accordance with rules adopted by the
6 Secretary of State in the interest of public health and
7 safety.

8 (2) Curbside voting shall be made available to all
9 electors with disabilities recognized by the federal Americans
10 with Disabilities Act.

11 (c) Each judge of probate shall establish a location
12 outside each polling place for curbside voting. The curbside
13 voting location shall meet all of the following requirements:

14 (1) Be located within 150 feet of the polling place.

15 (2) Be in plain view of the observing election
16 officials.

17 (3) Be equipped to allow the eligible elector to
18 complete the ballot without assistance, unless assistance is
19 requested by the voter, and to preserve the secrecy of the
20 voter's ballot while voting.

21 (d) An eligible elector using curbside voting shall
22 be observed by at least one election official and may be
23 observed by two poll watchers representing different political
24 parties.

25 (e) (1) An eligible elector seeking to use curbside
26 voting shall request curbside voting from an election official
27 at the polling place and provide the election official with a

1 valid photo identification as required under Section 17-9-30
2 so that the elector is verified through the electronic poll
3 book or printed poll list at the polling place.

4 (2) An election official shall give the eligible
5 elector using curbside voting a paper ballot. After marking
6 the paper ballot, the eligible elector shall deposit the
7 ballot in a secure container provided by the judge of probate.
8 The container shall be kept in the possession of a designated
9 election official who shall be responsible for entering the
10 completed ballot into a voting machine.

11 (3) The observing election officials shall maintain
12 a record of each use of curbside voting at the polling place.

13 (f) The Secretary of State shall adopt rules to
14 implement this section.

15 Section 2. This act shall become effective
16 immediately following its passage and approval by the
17 Governor, or its otherwise becoming law, and shall apply to
18 elections commencing with the November 2022 general election
19 cycle.