

1 HB150  
2 181770-2  
3 By Representative Baker  
4 RFD: Constitution, Campaigns and Elections  
5 First Read: 07-FEB-17

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8 SYNOPSIS: Under existing law, voter registration is  
9 conducted in each county by a Board of Registrars  
10 consisting of three qualified electors and  
11 residents of the county, who are compensated for  
12 their services.

13 This bill would specify that appointees to  
14 the Board of Registrars serve at the pleasure of  
15 the appointing authorities and would also revise  
16 the process and content of registrar guidelines  
17 prescribed by the Secretary of State.

18 This bill would provide that a registrar  
19 removed for cause would be ineligible for  
20 reappointment as a registrar for a specified time  
21 frame and would allow the Secretary of State to  
22 fill vacancies under certain conditions.

23 This bill would also clarify the  
24 compensation received by registrars, would require  
25 the board to be open during the same hours as the  
26 county courthouse, and would require the tracking  
27 and reporting of hours worked by registrars.

1  
2 A BILL  
3 TO BE ENTITLED  
4 AN ACT

5  
6 Relating to the Board of Registrars; to amend  
7 Sections 17-3-2, 17-3-3, 17-3-4, 17-3-5, as last amended by  
8 Act 2016-311, 2016 Regular Session, and 17-3-8, Code of  
9 Alabama 1975, to specify that appointees to the Board of  
10 Registrars serve at the pleasure of the appointing  
11 authorities; to revise the process and content of registrar  
12 guidelines prescribed by the Secretary of State; to provide  
13 that a registrar removed for cause would be ineligible for  
14 reappointment as a registrar for a specified time frame; to  
15 allow the Secretary of State to fill vacancies under certain  
16 conditions; to clarify the compensation received by  
17 registrars; to require the board to be open during the same  
18 hours as the county courthouse; and to require the tracking  
19 and reporting of hours worked by registrars.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. Sections 17-3-2, 17-3-3, 17-3-4, 17-3-5,  
22 as last amended by Act 2016-311, 2016 Regular Session, and  
23 17-3-8, Code of Alabama 1975, are amended to read as follows:

24 "§17-3-2.

25 "(a) Registration shall be conducted in each county  
26 by a board of three reputable and suitable persons to be  
27 appointed, unless otherwise provided by law, by the Governor,

1 Auditor, and Commissioner of Agriculture and Industries, or by  
2 a majority of them acting as a state board of appointment.  
3 Each appointee shall serve at the pleasure of the appointing  
4 authority. The appointing authorities shall coordinate their  
5 appointments to enhance racial, gender, urban, rural, and  
6 economic diversity. The registrars shall be qualified  
7 electors, residents of the county, shall have a high school  
8 diploma or equivalent, ~~and~~ possess the minimum computer and  
9 map reading skills necessary to function in the office, and  
10 meet all other minimum job qualifications as described in the  
11 job description. The Secretary of State, with the unanimous  
12 written consent of the appointing authorities, shall prescribe  
13 guidelines, including a detailed job description containing  
14 minimum qualifications to assist the state board of  
15 appointment in determining the qualifications of registrars.  
16 The registrars shall not hold an elective office during their  
17 term. One of the members shall be designated by the state  
18 board of appointment as chair of the board of registrars for  
19 each county.

20 " (b) Notwithstanding the provisions of subsection  
21 (a), the Legislature may provide by local law for the  
22 appointment of additional members to the board of registrars  
23 for a county that has two courthouses.

24 " (c) The provisions of this section shall not apply  
25 in any county having a population of not less than 600,000  
26 inhabitants according to the 1970 or any succeeding federal  
27 decennial census, and any currently effective local law or

1 general law of local application providing for the appointment  
2 of any member of the board of registrars in the county shall  
3 remain in full force and effect and shall not be repealed by  
4 operation of this chapter.

5 "§17-3-3.

6 ~~"The~~ Notwithstanding subsection (a) of Section  
7 17-3-2, the registrars appointed under this article may be  
8 removed for cause by the Secretary of State at any time before  
9 the end of their term of office, upon submitting written  
10 reasons therefor to the registrar removed and to the members  
11 of the state board of appointment. A registrar removed for  
12 cause shall be ineligible for reappointment as a registrar by  
13 an appointing authority for the duration of the term of office  
14 in which the removal occurred. If not so removed, the  
15 registrar may hold office for four years from the date of  
16 appointment and until a successor is appointed.

17 "§17-3-4.

18 "If one or more of the persons appointed on such  
19 board of registrars shall refuse, neglect, or be unable to  
20 qualify to serve, or if a vacancy or vacancies occur in the  
21 membership of the board of registrars, from any cause, the  
22 Governor, Auditor, and Commissioner of Agriculture and  
23 Industries, or a majority of them acting as a state board of  
24 appointment, shall make other appointments to fill such  
25 vacancies. If more than six months before an election, a  
26 vacancy is left unfilled for more than 90 days by an  
27 appointing authority or if within six months before an

1 election, a vacancy is left unfilled for more than 30 days,  
2 the Secretary of State may make a temporary appointment to  
3 fill the position until a permanent appointment is made by the  
4 appointing authority.

5 "§17-3-5.

6 "(a) Each registrar shall receive a salary in the  
7 amount of eighty dollars (\$80) per working day for each  
8 working day's attendance upon business of the board, to be  
9 paid by the state and disbursed to the county commissions and  
10 disbursed by the county commissions to each registrar on order  
11 of a quorum of the board of registrars of the county. The  
12 state Comptroller shall issue to each county commission on a  
13 monthly basis an amount sufficient to fund these payments plus  
14 the employer share of the Social Security or Federal Insurance  
15 Corporation Act tax. The county commission will provide to the  
16 state Comptroller an invoice itemized to reflect payments  
17 made. If a legal holiday falls on a day the board is to be in  
18 session, and the courthouse of the county is closed for the  
19 holiday, the board of registrars shall be compensated for the  
20 holiday. Each registrar shall receive a mileage allowance  
21 equal to the amount allowed state employees or employees of  
22 the county, whichever is greater, for official travel in the  
23 course of attending the business of the board, including  
24 attending continuing education programs. Travel and other  
25 expenses shall be paid by the county commissions to the boards  
26 of registrars and the state shall reimburse the county

1 commissions based on a written request submitted by the county  
2 commissions to the state Comptroller.

3 "(b) The provisions of this section regarding travel  
4 mileage shall not apply in any county having a population of  
5 600,000 or more inhabitants according to the 1970 or any  
6 succeeding federal decennial census, and any currently  
7 effective local law or general law of local application  
8 regarding travel mileage for registrars in the county shall  
9 remain in full force and effect and shall not be repealed by  
10 operation of this chapter.

11 "(c) Members of the boards of registrars of this  
12 state are hereby declared to be state employees for the  
13 purposes of Chapter 28 of Title 36.

14 "(d) Members of the boards of registrars of this  
15 state shall be treated as equals with other state and county  
16 employees in regard to Social Security protection and  
17 benefits.

18 "(e) All payments by a county to any member of a  
19 county board of registrars (except for mileage or  
20 reimbursement for expenses) shall be treated for Social  
21 Security purposes equally with payments by that county to  
22 other county employees of the county.

23 "(f) The state office for Social Security and the  
24 state Comptroller and each county commission are directed to  
25 take all necessary action to insure that members of the boards  
26 of registrars of this state are treated as other state and  
27 county employees in regard to Social Security protection and

1 benefits as provided in Chapter 28 of Title 36, including, if  
2 necessary, amending the federal-state agreement referred to in  
3 Chapter 28 of Title 36, to implement the intent of the  
4 Legislature as expressed herein.

5 "(g) No county commission may reduce the current  
6 county supplement upon the effect of this section by  
7 implementation of Act 94-693.

8 "(h) A county commission may allow the chair or any  
9 member of the county board of registrars who has served at  
10 least 16 years in that position to participate in any health  
11 insurance program provided by the county upon the same terms,  
12 conditions, and employee contributions as required for county  
13 employees.

14 "This subsection shall not apply to any health  
15 insurance plans administered by the State of Alabama as  
16 described in Title 36, Chapter 29 and Title 11, Chapter 91A.

17 "§17-3-8.

18 "(a) Each member of the board of registrars in the  
19 Counties of Chambers, Clay, Cleburne, Coosa, Dallas, Escambia,  
20 Geneva, Lowndes, Perry, Sumter, and Wilcox may meet a maximum  
21 of 120 working days each fiscal year; each member of the board  
22 of registrars in the Counties of Barbour, Blount, Butler,  
23 Fayette, Greene, Lee, Marengo, Pickens, Pike, Randolph, and  
24 Winston may meet a maximum of 168 working days each fiscal  
25 year, except in the Counties of Lee and Pike each board of  
26 registrars may meet up to an additional 30 session days each  
27 fiscal year, at the discretion of the chair of the county

1 commission, and such days shall be paid from the respective  
2 county funds; each member of the board of registrars in  
3 Tallapoosa County and each member of the board of registrars  
4 in Talladega County may meet a maximum of 220 working days  
5 each fiscal year, except that in Talladega County the board of  
6 registrars may meet up to an additional 30 session days each  
7 fiscal year, at the discretion of the chair of the county  
8 commission; each member of the board of registrars in the  
9 Counties of Dale, Franklin, Houston, Marion, Marshall,  
10 Bullock, Macon, and Tuscaloosa may meet a maximum of 216  
11 working days each fiscal year; each member of the board of  
12 registrars in the Counties of Limestone and Shelby may meet a  
13 maximum of 167 working days each fiscal year; and each member  
14 of the board of registrars in Russell County may meet a  
15 maximum of 177 working days each fiscal year.

16 "(b) In the Counties of Choctaw, Coffee, Colbert,  
17 Cullman, Lauderdale, and Monroe each member of the board of  
18 registrars may meet a maximum of 199 working days each fiscal  
19 year.

20 "(c) Each member of the Board of Registrars of  
21 Autauga, Elmore, and Bibb Counties may meet a maximum of 187  
22 working days each fiscal year. Each member of the Board of  
23 Registrars of Walker County may meet a maximum of 200 days  
24 each fiscal year and each member of the Board of Registrars of  
25 Lamar, Cherokee, Clarke, Conecuh, Crenshaw, Hale, and  
26 Washington Counties may meet a maximum of 140 days each fiscal  
27 year. Each member of the board of registrars in the following

1 counties may meet the following maximum number of working days  
2 each fiscal year: Henry - 140 working days; Covington - 188  
3 working days; DeKalb - 207 working days; Jackson - 207 working  
4 days; Etowah - 207 working days; and Lawrence - 140 working  
5 days.

6 "(d) Each member of the board of registrars in the  
7 Counties of Baldwin, Calhoun, Chilton, Madison, Mobile,  
8 Montgomery, St. Clair, and Morgan are authorized to meet not  
9 more than five days each week for the purpose of carrying out  
10 their official duties. Jefferson County, which is now  
11 operating under the provisions of local laws, shall be  
12 exempted from the provisions of this section. Provided,  
13 however, that where the words "each year" are used in the  
14 local laws the words mean "each fiscal year."

15 "(e) The actual number of working days to be used as  
16 session days shall be determined by a quorum of the board of  
17 registrars according to the needs of the county.

18 "(f) As many as 25 of the allotted working days may  
19 be used for special registration sessions (i.e., those  
20 sessions held away from the courthouse in the several  
21 precincts of the county or sessions held on Saturday or  
22 between the hours of 5:00 P.M. and 9:00 P.M.). Notice of any  
23 special session scheduled by the board shall be given at least  
24 10 days prior to the special session by (1) bills posted at  
25 three or more public places in each election precinct  
26 affected, if the session involves precinct visits, and (2)  
27 advertisement once a week for two successive weeks in a

1 newspaper published in the county or by radio or television  
2 announcements on a local station, or both by newspaper or  
3 announcement.

4 "(g) On working days, the Board of Registrars shall  
5 be open the same hours as the courthouse of the county.

6 "(h) To be compensated for attendance on a working  
7 day or session day, a registrar shall work a minimum of four  
8 business hours. The Secretary of State shall establish a  
9 methodology for members to track and report hours worked.  
10 Within three months before and after an election, the  
11 Secretary of State may require members to work additional  
12 hours above the minimum to complete assigned tasks relating to  
13 voter registration, election administration, or other defined  
14 duties of the board."

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