

1 SB223  
2 179143-2  
3 By Senator Bussman  
4 RFD: Constitution, Ethics and Elections  
5 First Read: 21-FEB-17

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8 SYNOPSIS: This bill would revise the process used by  
9 the Secretary of State and local boards of  
10 registrars to update current address information on  
11 registered voters based on information supplied by  
12 the United States Postal Service.

13  
14 A BILL  
15 TO BE ENTITLED  
16 AN ACT

17  
18 To amend Section 17-4-30, Code of Alabama 1975,  
19 relating to voter registration lists; to revise the process  
20 used by the Secretary of State and local boards of registrars  
21 to update current address information on registered voters  
22 based on information supplied by the United States Postal  
23 Service.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Section 17-4-30 of the Code of Alabama  
26 1975, is amended to read as follows:

27 "§17-4-30.

1           "~~(a) Beginning in January 1997~~ February 2021, and in  
2 ~~January~~ February of every fourth year thereafter, the ~~boards~~  
3 ~~of registrars shall mail a nonforwardable notice to all~~  
4 ~~registered voters in the county. The notice shall be designed~~  
5 ~~and provided for the boards of registrars by the Secretary of~~  
6 ~~State. The notice shall be sent on a postcard providing~~  
7 ~~general information on elections. The notice shall be mailed~~  
8 ~~to the last known address of the voter appearing on the voter~~  
9 ~~registration list. If the notice is returned to the boards of~~  
10 ~~registrars indicating that the voter may have relocated, the~~  
11 ~~board shall send a forwardable notice to the registered voter~~  
12 ~~on which the voter may confirm his or her current address. The~~  
13 ~~forwardable notice shall be mailed no later than 90 days after~~  
14 ~~receipt of the returned nonforwardable notice~~ Secretary of  
15 State or board of registrars shall utilize change-of-address  
16 information supplied by the United States Postal Service  
17 through its licensees to identify registered voters whose  
18 addresses may have changed.

19           "(b) (1) If the Secretary of State or board of  
20 registrars determines from the information provided by the  
21 United States Postal Service that a voter has moved to a  
22 different residence address that is under the jurisdiction of  
23 the same board of registrars, the board of registrars shall  
24 change the registration records of that voter to show the new  
25 address, and the board of registrars, or its agent, within 90  
26 days after identifying the potential change, shall send the  
27 voter a notice of the change by forwardable mail including a

1 postage prepaid preaddressed return card on which the  
2 registered voter may verify or correct his or her current  
3 address information.

4 "(2) If the Secretary of State or board of  
5 registrars determines from the information provided by the  
6 United States Postal Service that a voter has moved to a  
7 different residence address that is under the jurisdiction of  
8 a different board of registrars, the Secretary of State or  
9 board of registrars, within 90 days after identifying the  
10 potential change, shall send the voter a notice of the change  
11 by forwardable mail including a postage prepaid and  
12 preaddressed return card on which the registered voter may  
13 verify or correct his or her current address information.

14 "(3) If the Secretary of State or board of  
15 registrars determines from the information provided by the  
16 United States Postal Service that a voter has moved to a  
17 different residence address outside of the State of Alabama,  
18 the Secretary of State or board of registrars, within 90 days  
19 after identifying the potential change, shall send the voter a  
20 notice of the change by forwardable mail including a postage  
21 prepaid and preaddressed return card on which the registered  
22 voter may verify or correct his or her current address  
23 information.

24 "(c) Notice provided to a registered voter pursuant  
25 to subdivision (1), (2), or (3) of subsection (b) shall inform  
26 the voter of all of the following:

1           "(1) If the voter did not change his or her  
2           residence, or changed his or her residence but remained under  
3           the jurisdiction of the same board of registrars, the voter  
4           shall be required to return the card to that board of  
5           registrars no later than the last day to register to vote  
6           before an election.

7           "(2) If the card is not returned within the  
8           specified time, the voter shall be required to complete a  
9           voter registration update form before he or she is permitted  
10          to vote in an election during the period beginning on the date  
11          the notice was mailed and ending on the day after the date of  
12          the second general election for federal office that occurs  
13          after the date the notice was mailed.

14          "(3) If the voter does not update his or her voter  
15          registration record or does not vote in an election during the  
16          period beginning on the date the notice was mailed and ending  
17          on the day after the date of the second general election for  
18          federal office that occurs after the date the notice was  
19          mailed, his or her name shall be removed from the list of  
20          eligible voters.

21          "(4) If the voter has changed his or her residence  
22          to an address outside of the jurisdiction of the board of  
23          registrars under which he or she is then registered,  
24          information concerning how the voter may maintain his or her  
25          eligibility to vote.

26          "(d) The ~~boards~~ Secretary of State or board of  
27          registrars shall record and maintain in the statewide voter

1 ~~registration database~~ the dates on which ~~the nonforwardable~~  
2 notice ~~was~~ is mailed to a registered voter and the card is  
3 returned to the board ~~and the date on which the forwardable~~  
4 ~~notice was mailed to~~ by the registered voter.

5 ~~"(b)~~ (e) The boards of registrars shall update the  
6 ~~voter list for the county~~ statewide voter registration  
7 database using the information reported to the board by the  
8 registered voters on the ~~address confirmation~~ cards provided  
9 for in ~~subsection (a)~~ this section.

10 ~~"(f)~~ (f) If the registered voter does not respond to ~~the~~  
11 ~~forwardable notice on which the registered voter may confirm~~  
12 ~~his or her address~~ the notice provided in this section within  
13 90 days of the date on which the notice was mailed or if the  
14 ~~forwardable~~ notice is returned to the board of registrars as  
15 undeliverable, the ~~boards~~ board of registrars, or its agent,  
16 shall ~~place the name of the registered voter on the inactive~~  
17 ~~list of registered voters and in a suspense file in the office~~  
18 ~~of the board. The suspense file shall contain all of the~~  
19 ~~following information:~~ change the status of the voter to  
20 inactive and, in the statewide voter registration database,  
21 shall indicate the date the change is recorded and that the  
22 voter did not respond to the mailing or that the mailing was  
23 returned as undeliverable, in a manner provided by rule  
24 adopted by the Secretary of State pursuant to the Alabama  
25 Administrative Procedure Act.

26 ~~"(1) The name of the registered voter.~~

27 ~~"(2) The last known address of the registered voter.~~

1           ~~"(3) At least the last four digits of the Social~~  
2 ~~Security number or other personal identification number of the~~  
3 ~~registered voter.~~

4           ~~"(4) The date on which the name of the registered~~  
5 ~~voter was placed in the suspense file.~~

6           ~~"(c) The name of a registered voter who does not~~  
7 ~~vote or appear to vote in one of the next two federal~~  
8 ~~elections held after his or her name is placed in the suspense~~  
9 ~~file shall be removed from the voter list.~~

10           ~~"(d)(g) The name of any voter who receives notice~~  
11 ~~pursuant to this section and fails to update his or her voter~~  
12 ~~registration record, or does not vote in an election during~~  
13 ~~the period beginning on the date the notice is mailed and~~  
14 ~~ending on the day after the date of the second general~~  
15 ~~election for federal office that occurs after the date the~~  
16 ~~notice is mailed, shall be removed from the list of eligible~~  
17 ~~voters.~~ The names of persons to be removed from the list of  
18 registered voters pursuant to this section shall be published  
19 in accordance with Section 17-4-10.

20           ~~"(h) The Secretary of State shall promulgate rules~~  
21 ~~as necessary to implement this section in accordance with the~~  
22 ~~Alabama Administrative Procedure Act.~~

23           ~~"(i) The Secretary of State may act as an agent for~~  
24 ~~the boards of registrars in implementing this section."~~

25           Section 2. This act shall become effective  
26 immediately following its passage and approval by the  
27 Governor, or its otherwise becoming law.