

1 SB109
2 147563-1
3 By Senators Whatley, Blackwell, Waggoner, Dial, Holtzclaw,
4 Sanford, Beason, Taylor, Orr, Ward, Glover, Pittman, Marsh,
5 Brewbaker, Williams, Fielding, Scofield, Reed and Holley
6 RFD: Judiciary
7 First Read: 05-FEB-13

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8 SYNOPSIS: Under existing law, a person convicted of a
9 disqualifying criminal offense must be notified by
10 certified mail that his or her name is being purged
11 from the voter registration list.

12 This bill would provide for such
13 notification by U.S. mail rather than certified
14 mail.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT

19
20 To amend Section 17-4-3, Code of Alabama 1975, to
21 allow boards of registrars to notify, by U.S. mail rather than
22 certified mail, persons convicted of a disqualifying criminal
23 offense of their being purged from the voter registration
24 list.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. Section 17-4-3, Code of Alabama 1975, is
27 amended to read as follows:

1 "§17-4-3.

2 "Each county board of registrars shall purge the
3 computerized statewide voter registration list on a continuous
4 basis, whenever it receives and confirms information that a
5 person registered to vote in that county has died, become a
6 nonresident of the state or county, been declared mentally
7 incompetent, been convicted of any offense mentioned in
8 Article VIII of the Constitution of Alabama of 1901 since
9 being registered, or otherwise become disqualified as an
10 elector. A person convicted of a disqualifying criminal
11 offense must be notified by ~~certified~~ United States mail sent
12 to the voter's last known address of the board's intention to
13 strike his or her name from the list. No person convicted of a
14 disqualifying crime may be stricken from the poll list while
15 an appeal from the conviction is pending.

16 "On the date set in the notice, or at a later date
17 to which the case may have been continued by the board, the
18 board shall proceed to consider the case of the elector whose
19 name it proposes to strike from the registration list and make
20 its determination. Any person whose name is stricken from the
21 list may appeal from the decision of the board without giving
22 security for costs, and the board shall forthwith certify the
23 proceedings to the judge of probate who shall docket the case
24 in the probate court.

25 "An appeal from the judge of probate shall be as
26 appeals set forth in Section 17-3-55.

1 "When the board has sufficient evidence furnished it
2 that any elector has permanently moved from one precinct to
3 another within the county, it shall change the elector's
4 precinct designation in the voter registration list, and shall
5 give notice by mail to the elector of the precinct in which
6 the elector is registered to vote."

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