

1 SB133
2 136910-4
3 By Senator Coleman
4 RFD: Constitution, Campaign Finance, Ethics, and Elections
5 First Read: 07-FEB-12
6 PFD: 01/31/2012

1 SB133

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4 ENROLLED, An Act,

5 To amend Section 17-8-1, Code of Alabama 1975,
6 relating to the appointment of election officials, to
7 authorize the appointment of alternate election officials
8 subject to certain limitations.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Section 17-8-1, Code of Alabama 1975, is
11 amended to read as follows:

12 "§17-8-1.

13 "(a) The appointing board, or a majority of them
14 acting as an appointing board, not more than 20 nor less than
15 15 days before the holding of any election in their county,
16 shall appoint from the qualified electors of the respective
17 precinct, necessary precinct election officials, which shall
18 include at least one inspector, to act at each voting place in
19 each precinct. The appointing board may appoint the number of
20 precinct election officials necessary for each precinct,
21 provided that, absent consent of the county commission, the
22 total number of precinct election officials appointed in a
23 county shall not exceed the total number of precinct election
24 officials who were paid by the county for the general election
25 held November 2004. In the event that the number of precincts

1 or voting places utilized in an election within a county is
2 increased or decreased, the total number of officials who may
3 be appointed without consent of the county commission shall be
4 increased or decreased proportionately based upon the average
5 number of workers utilized in each precinct or polling place
6 within the county. In the event that the county changes voting
7 equipment from that used in the November 2004 election, the
8 total number of precinct election officials the appointing
9 board may appoint shall be the average number of precinct
10 election officials per precinct or polling place utilized
11 statewide for the general election held in November 2004,
12 multiplied by the number of precincts or polling places in the
13 county changing voting equipment; provided, however, that the
14 number of precinct election officials appointed for any
15 precinct in the county may be increased with the consent of
16 the county commission. Members of a candidate's immediate
17 family to the second degree of kinship by affinity or
18 consanguinity and any member of a candidate's principal
19 campaign committee are not eligible for appointment.

20 "(b) The precinct election officials shall have the
21 following duties:

22 "(1) The inspector shall be in charge of the voting
23 place and shall serve as returning officer for the voting
24 place.

1 "(2) The registration list clerk shall check the
2 name of voters against the list of registered voters and mark
3 off the names of those who vote in order to prevent double
4 voting. If any person whose name does not appear on the list
5 of registered voters is permitted to vote by means of a
6 certificate as provided in Section 17-10-3, or by means of a
7 provisional ballot as provided in Sections 17-10-1 and
8 17-10-2, the registration list clerk shall legibly print the
9 name and address on the list of registered voters, mark
10 through the name to indicate that the person has voted, and
11 record by the name whether the person voted by certificate,
12 with source and date, or by provisional ballot.

13 "(3) The poll list clerk shall ensure that each
14 voter signs the poll list as provided in Sections 17-9-15 and
15 17-13-7. A clerk shall print the voter's name on the poll list
16 or a duplicate list so that the signature can be identified.
17 The poll list clerk shall give a ballot to the voter with the
18 stub attached to the ballot pad. Ballots shall be given out in
19 sequence beginning with the lowest numbered ballot.

20 "(4) The ballot clerk, upon the request of a voter,
21 shall assist the voter as necessary to deposit the ballot in
22 the precinct ballot counter.

23 "(c) Any person who is compensated for working at
24 the polls during any returning, other than an inspector
25 appointed under subsection (a), may work on a split shift

1 schedule if determined necessary by the judge of probate. Each
2 portion of a split shift shall consist of not less than six
3 consecutive hours of work and the worker shall be paid
4 one-half of the per day compensation provided for by general
5 or local law in the county.

6 "(d) Notwithstanding the provisions of subsection
7 (a), the judge of probate or other appropriate election
8 officials in a county, may provide for the appointment of
9 additional inspectors and clerks from within the county
10 at-large to serve as alternates in the event an appointed
11 inspector or clerk is unable to perform his or her duties.
12 First priority shall be given for the appointment of
13 alternates who are registered voters at the precinct where a
14 vacancy exists. The number of alternates shall be limited as
15 provided herein and no payment shall be provided for
16 alternates in excess of the number authorized in this
17 subsection. In a county with a population of less than 100,000
18 inhabitants, the judge of probate or other appropriate
19 election officials in the county may provide for the
20 appointment and payment of up to four alternate inspectors,
21 clerks, or returning officers; in a county with a population
22 of 100,000 to 250,000 inhabitants, the judge of probate or
23 other appropriate election officials in the county may provide
24 for the appointment and payment of up to 12 alternate
25 inspectors, clerks, or returning officers; and in a county

1 with a population of more than 250,000 inhabitants, the judge
2 of probate or other appropriate election officials in the
3 county may provide for the appointment and payment of up to 24
4 alternate inspectors, clerks, or returning officers. The
5 appointment and payment of alternates shall be election
6 expenses eligible for reimbursement by the state Comptroller
7 pursuant to general law."

8 Section 2. This act shall become effective
9 immediately following its passage and approval by the
10 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB133

Senate 23-FEB-12

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris
Secretary

House of Representatives

Passed: 14-MAR-12

By: Senator Coleman