

1 SB148
2 164813-1
3 By Senator Dial
4 RFD: Constitution, Ethics and Elections
5 First Read: 05-MAR-15

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8 SYNOPSIS: For presidential elections, this bill would
9 provide for deadline for filing petitions and
10 certificates to the Secretary of State; it would
11 provide a deadline for the method electors vote for
12 delegates; it would provide for deadline for
13 qualifying candidates for the ballot to the party
14 chairs; and would provide deadline for candidate to
15 withdraw name from ballot.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
20

21 Relating to elections for presidential and vice
22 presidential electors; to amend Sections 17-13-102, 17-13-104,
23 17-13-105 and 17-14-31 of the Code of Alabama 1975, to provide
24 further for deadlines for the filing of certain notices and
25 petitions relating to candidacies and the electing delegates
26 to such elections.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Sections 17-13-102, 17-13-104, 17-13-105
2 and 17-14-31 of the Code of Alabama 1975, to provide further
3 for deadlines for the filing of certain notices and petitions,
4 are amended to read as follows:

5 "§17-13-102.

6 "In order to qualify the name of any person to
7 appear on the ballot at a presidential preference primary, a
8 petition or petitions in support of his or her candidacy shall
9 be filed with the state party chair of the appropriate
10 political party, hereinafter referred to as "chair," ~~90~~ 116
11 days prior to the presidential preference primary election. To
12 comply with this section, a candidate may file a petition or
13 petitions signed by a total of not less than 500 qualified
14 electors of the state, or petitions signed by not less than 50
15 qualified electors of each congressional district of the
16 state, in which case there shall be a separate petition for
17 each congressional district. The petitions shall be in such
18 form as the chair may prescribe; provided, that there shall be
19 a space for the county of residence of each signer next to the
20 space provided for his or her signature. No signature may be
21 counted as valid unless the county of residence of the signer
22 is provided. Each petition shall contain an affirmation under
23 the penalties of perjury that each signer is a qualified
24 elector in his or her congressional district or in the state,
25 as appropriate. The decision of the chair as to the regularity
26 of the petitions shall be final.

27 "§17-13-104.

1 "Whenever the chair shall receive petitions, timely
2 filed, which appear to qualify the name of a candidate for
3 President to be placed on the ballot, he or she shall
4 forthwith notify the prospective candidate by the most
5 expeditious means of communication and shall advise such
6 prospective candidate that unless the candidate withdraws his
7 or her name from the ballot no later than ~~60~~ 76 days before
8 the primary, it will appear on the ballot of the party at such
9 presidential preference primary. If a candidate signifies the
10 desire to withdraw his or her name within the above time
11 limit, it shall not be printed on the ballot.

12 "§17-13-105.

13 "Each political party authorized to hold a primary
14 and wishing to hold such a presidential preference primary
15 shall, not less than ~~60~~ 116 days before such primary is to be
16 held, adopt and file with the Secretary of State a resolution
17 stating that intention, the method by which electors are to
18 indicate one or more preferences, the method by which
19 delegates are to be selected, elected, chosen and replaced,
20 and the pledge, if any, by which delegates are to be bound.

21 "§17-14-31.

22 "(a) When presidential electors are to be chosen,
23 the Secretary of State of Alabama shall certify to the judges
24 of probate of the several counties the names of all candidates
25 for President and Vice President who are nominated by any
26 national convention or other like assembly of any political

1 party or by written petition signed by at least 5,000
2 qualified voters of this state.

3 "(b) The certificate of nomination by a political
4 party convention must be signed by the presiding officer and
5 secretary of the convention and by the chair of the state
6 executive or central committee of the political party making
7 the nomination. Any nominating petition, to be valid, must
8 contain the signatures as well as the addresses of the
9 petitioners. Such certificates and petitions must be filed in
10 the office of the Secretary of State no later than the ~~6th day~~
11 ~~of September~~ 82nd day next preceding the day fixed for the
12 election.

13 "(c) Each certificate of nomination and nominating
14 petition must be accompanied by a list of the names and
15 addresses of persons, who shall be qualified voters of this
16 state, equal in number to the number of presidential electors
17 to be chosen. Each person so listed shall execute the
18 following statement which shall be attached to the certificate
19 or petition when the same is filed with the Secretary of
20 State: "I do hereby consent and do hereby agree to serve as
21 elector for President and Vice President of the United States,
22 if elected to that position, and do hereby agree that, if so
23 elected, I shall cast my ballot as such elector for _____ for
24 President and _____ for Vice President of the United States"
25 (inserting in the blank spaces the respective names of the
26 persons named as nominees for the respective offices in the
27 certificate to which this statement is attached)."

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