

HB86 INTRODUCED



1 HB86
2 TGMQ159-1
3 By Representative Pringle
4 RFD: Constitution, Campaigns and Elections
5 First Read: 06-Feb-24
6 PFD: 01-Feb-24



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4 SYNOPSIS:

5 Under existing law, an elector must vote in the
6 county and voting place of his or her domicile.

7 This bill would provide procedures for an
8 elector to vote when the elector has changed his or her
9 domicile and has not updated his or her voter
10 registration record prior to an election.

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13 A BILL
14 TO BE ENTITLED
15 AN ACT
16

17 Relating to voting; to amend Section 17-9-10, Code of
18 Alabama 1975, to provide procedures for an elector to vote
19 when the elector has changed his or her domicile and has not
20 updated his or her voter registration record prior to an
21 election.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Section 17-9-10, Code of Alabama 1975, is
24 amended to read as follows:

25 "§17-9-10

26 (a) At all elections held within this state, the
27 elector shall vote in the county and voting place of the
28 precinct of his or her domicile and nowhere else and shall



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have registered as provided in this title. If any elector attempts to vote in any voting place other than that of his or her domicile, his or her vote shall be rejected, except when casting a provisional ballot, as provided by law.

(b) If any elector who has a current domicile that differs from the domicile listed on the elector's voter registration record but whose current domicile is within the same voting place of the precinct of the elector's voter registration record, and the elector attempts to vote, an election official may provide the elector a form to update his or her voter registration record and allow the elector to cast a regular ballot.

(c) (1) If any elector who has a current domicile that differs from the domicile listed on the elector's voter registration record and whose current domicile is not within the same voting place of the precinct of the elector's voter registration record, and the elector attempts to vote, an election official may inform the elector of his or her correct voting place and instruct the elector to go to the correct voting place of the precinct of his or her current domicile, so long as the current domicile is within the same county where the elector is registered to vote.

(2) An election official may inquire as to whether an elector's current domicile differs from the domicile listed on the elector's voter registration record if any of the following occur:

a. The elector informs an election official that his or her current domicile differs from the domicile listed on the



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57 elector's voter registration record.

58 b. The identification presented by the elector bears an
59 address that differs from the domicile on his or her voter
60 registration record and, after reasonable inquiry, the
61 election official has a reasonable and good faith belief that
62 the domicile of the elector is no longer within the precinct
63 of the voting place where the elector is attempting to vote.

64 c. The election official has a reasonable and good
65 faith belief from independent and reliable sources that the
66 elector's domicile is no longer within the precinct of that
67 voting place.

68 (3) An election official may provide a pass or other
69 form to an elector whose current domicile is not within the
70 precinct of the voting place where he or she is attempting to
71 vote to facilitate and minimize the elector's wait time to
72 vote at the correct voting place.

73 (4) An elector shall be entitled to cast a provisional
74 ballot at the correct voting place, which provisional ballot
75 shall permit the elector to update his or her voter
76 registration, effective immediately. The Board of Registrars
77 shall take the necessary measures to ensure that any
78 provisional ballot cast pursuant to this subdivision is
79 provided to the canvassing board and such votes are tabulated
80 and included in the final certified election returns.

81 (d) If an elector who has been directed to proceed to
82 another voting place pursuant to subsection (c) and the
83 elector asserts that he or she is eligible to vote at the
84 voting place where he or she is attempting to vote, the



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election official shall allow the elector to cast a
provisional ballot at the voting place identified on the
elector's voter registration record. An inspector within the
voting place where the elector is attempting to vote may file
a challenge statement under penalty of perjury setting forth
the facts demonstrating the inspector's reasonable good faith
belief as to why the elector is not qualified to vote in the
voting place in accordance with Section 17-10-2(a)(2)."

Section 2. This act shall become effective on October
1, 2024.