

**HB86 ENGROSSED**



1      HB86  
2      7LK1E2E-2  
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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5 A BILL  
6 TO BE ENTITLED  
7 AN ACT

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

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

17 "§17-9-10

18                   (a) At all elections held within this state, the  
19                   elector shall vote in the county and voting place of the  
20                   precinct of his or her domicile and nowhere else and shall  
21                   have registered as provided in this title. If any elector  
22                   attempts to vote in any voting place other than that of his or  
23                   her domicile, his or her vote shall be rejected, except when  
24                   casting a provisional ballot, as provided by law.

25                   (b) If any elector who has a current domicile that  
26                   differs from the domicile listed on the elector's voter  
27                   registration record but whose current domicile is within the  
28                   same voting place of the precinct of the elector's voter



29 registration record, and the elector attempts to vote, an  
30 election official may provide the elector a form to update his  
31 or her voter registration record and allow the elector to cast  
32 a regular ballot.

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

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

47 a. The elector informs an election official that his or  
48 her current domicile differs from the domicile listed on the  
49 elector's voter registration record.

50 b. The identification presented by the elector bears an  
51 address that differs from the domicile on his or her voter  
52 registration record and, after reasonable inquiry, the  
53 election official has a reasonable and good faith belief that  
54 the domicile of the elector is no longer within the precinct  
55 of the voting place where the elector is attempting to vote.

56 c. The election official has a reasonable and good



57 faith belief from independent and reliable sources that the  
58 elector's domicile is no longer within the precinct of that  
59 voting place.

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

65 (4) An elector shall be entitled to cast a provisional  
66 ballot at the correct voting place, which provisional ballot  
67 shall permit the elector to update his or her voter  
68 registration, effective immediately. The canvassing board  
69 shall take the necessary measures to ensure that all votes  
70 lawfully cast on any provisional ballot pursuant to this  
71 subdivision are tabulated and included in the final certified  
72 election returns.

73 (d) If an elector who has been directed to proceed to  
74 another voting place pursuant to subsection (c) and the  
75 elector asserts that he or she is eligible to vote at the  
76 voting place where he or she is attempting to vote, the  
77 election official shall allow the elector to cast a  
78 provisional ballot at the voting place identified on the  
79 elector's voter registration record. An inspector within the  
80 voting place where the elector is attempting to vote may file  
81 a challenge statement under penalty of perjury setting forth  
82 the facts demonstrating the inspector's reasonable good faith  
83 belief as to why the elector is not qualified to vote in the  
84 voting place in accordance with Section 17-10-2(a)(2)."

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85                   Section 2. This act shall become effective on October  
86                   1, 2024.

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House of Representatives

90      Read for the first time and referred ..... 06-Feb-24  
91      to the House of Representatives  
92      committee on Constitution, Campaigns  
93      and Elections  
94  
95      Read for the second time and placed ..... 06-Mar-24  
96      on the calendar:  
97           0 amendments  
98  
99      Read for the third time and passed ..... 02-Apr-24  
100      as amended  
101           Yeas 103  
102           Nays 0  
103           Abstains 0  
104  
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106           John Treadwell  
107           Clerk  
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