

1 HB54  
2 126030-1  
3 By Representative Wood  
4 RFD: Constitution, Campaigns and Elections  
5 First Read: 01-MAR-11  
6 PFD: 02/25/2011

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8 SYNOPSIS: Under Section 17-16-4, Code of Alabama 1975,  
9 the state reimburses counties for all sums expended  
10 by the counties in payment of expenses incurred in  
11 holding and conducting an election in which only  
12 candidates for federal or state office are  
13 nominated or elected. Section 17-16-2 of the Code  
14 of Alabama 1975, defines these reimbursable  
15 expenses to include such items as the costs of  
16 ballots, supplies, and materials furnished to  
17 election officials, the per diem and mileage  
18 provided to election officials, and the cost of  
19 preparing and furnishing lists of qualified  
20 electors. The list of reimbursable expenses does  
21 not include the cost of publication or postage.

22 This bill would include these expenses in  
23 the list of election expenses reimbursable by the  
24 state.

25 This bill would create an Election Expense  
26 Reimbursement Committee to identify other expenses  
27 which shall be eligible for reimbursement.

1  
2 A BILL  
3 TO BE ENTITLED  
4 AN ACT  
5

6 Relating to election expenses; to amend Sections  
7 17-16-2 and 17-16-4, Code of Alabama 1975, and to add Section  
8 17-16-2.1 to the Code of Alabama 1975, to more adequately  
9 provide for reimbursement of the county's election expenses  
10 and to create an Election Expense Reimbursement Committee to  
11 identify other expenses that are eligible for reimbursement.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. Sections 17-16-2 and 17-16-4, Code of  
14 Alabama 1975, are amended to read as follows:

15 "§17-16-2.

16 "As used in this chapter, the term "expenses" shall  
17 include the following items, ~~and no other~~ any other items  
18 approved as reimbursable expenses by the Election Expense  
19 Reimbursement Committee pursuant to Section 17-16-2.1:

20 "(1) The ~~per diem~~ compensation and mileage provided  
21 by law for election officials.

22 "(2) The ~~per diem~~ compensation provided by law for  
23 the clerk or other official acting ~~in his or her stead for~~  
24 ~~handling absentee ballots~~ as absentee election manager.

25 "(3) The costs of ballots, supplies, and other  
26 materials or equipment necessary for election officials to  
27 conduct elections as required by law ~~to be furnished to~~

1 ~~election officials~~ and as certified by the judge of probate as  
2 chief election official of the county. ~~In those counties where~~  
3 ~~electronic voting machines are used, such voting equipment~~  
4 ~~shall not be considered as ballots, supplies, or materials, as~~  
5 ~~herein used.~~

6 "(4) The costs of absentee ballots, supplies,  
7 postage, and other materials required by law to be furnished  
8 to the ~~official handling absentee ballots~~ absentee election  
9 manager.

10 "(5) The cost of preparing and furnishing the lists  
11 of qualified electors to the election officials as required by  
12 law.

13 "(6) The cost of publishing any notice or other item  
14 related to any election and required by law, including, but  
15 not limited to, the publication of notice of any election and  
16 any voter lists.

17 "§17-16-4.

18 "The State of Alabama shall reimburse a county for  
19 all sums expended by the county in payment of expenses as  
20 provided for in Sections 17-16-2 and 17-16-2.1 and incurred in  
21 holding and conducting an election in which only candidates  
22 for federal or state offices are nominated or federal or state  
23 officials are elected. For the purposes of this section, a  
24 candidate for federal or state office includes a candidate  
25 seeking election as a district representative for a federal or  
26 state office appearing on the ballot in any portion of a  
27 county."

1           Section 2. The following new Section 17-16-2.1 is  
2 added to Title 17, Code of Alabama 1975, to read as follows:

3           §17-16-2.1.

4           (a) There is hereby established an Election Expense  
5 Reimbursement Committee designated to identify any election  
6 costs not included in Section 17-16-2, which costs shall be  
7 included as a reimbursable election expense under this  
8 chapter. The committee shall consist of the following:

9           (1) The President Pro Tempore of the Alabama Senate.

10           (2) The Speaker of the Alabama House of  
11 Representatives.

12           (3) The Secretary of State or his or her designee.

13           (4) The Director of Finance or his or her designee.

14           (5) The chair of the Senate Constitution, Campaign  
15 Finance, Ethics and Election Committee or its successor  
16 committee.

17           (6) The chair of the House Constitution, Campaign  
18 and Elections Committee or its successor committee.

19           (7) The chair of the Senate Finance and Taxation  
20 General Fund Committee or its successor committee.

21           (8) The chair of the House Ways and Means General  
22 Fund Committee or its successor committee.

23           (b) The committee shall meet not less than 90 days  
24 prior to the state primary set for June 2012 to develop and  
25 approve the list of reimbursable expenses for the upcoming  
26 election cycle. After the list has been approved by the  
27 committee, it shall be forwarded to the Comptroller's office.

1 The Comptroller shall distribute the list to the chair of each  
2 county commission and each probate judge in the state no later  
3 than 60 days prior to the date of the primary. The list of  
4 approved expenses shall apply in all elections and remain in  
5 effect until and unless amended by the committee at least 90  
6 days prior to the primary in a subsequent election cycle.

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