

1 SB139
2 126030-1
3 By Senator Pittman
4 RFD: Constitution, Campaign Finance, Ethics, and Elections
5 First Read: 01-MAR-11

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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.