

1 HB319
2 136057-5
3 By Representative Wood
4 RFD: Constitution, Campaigns and Elections
5 First Read: 14-FEB-12

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
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8 To amend Sections 17-16-2 and 17-16-2.1, as amended
9 by Act 2011-147 of the 2011 Regular Session, of the Code of
10 Alabama 1975, relating to election expenses; to revise the
11 election expenses of a county for which reimbursement is made
12 and to alter the makeup and functions of the Election Expense
13 Reimbursement Committee.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Sections 17-16-2 and 17-16-2.1, as
16 amended by Act 2011-147 of the 2011 Regular Session, of the
17 Code of Alabama 1975, are amended to read as follows:

18 "§17-16-2.

19 "As used in this chapter, the term "expenses" shall
20 include, but not be limited to, the following items and any
21 other items approved as reimbursable expenses by the ~~Election~~
22 ~~Expense Reimbursement Committee~~ Comptroller pursuant to
23 Section 17-16-2.1:

24 "(1) The compensation and mileage provided by law
25 for election officials and any extraordinary labor costs
26 incurred by the county for election functions and duties,
27 including, but not limited to, compensation for temporary

1 workers and overtime for employees of the county or sheriff's
2 office, provided such additional costs are necessary and
3 directly related to functions and duties necessary for
4 conducting the election.

5 "(2) The compensation provided by law for the clerk
6 or other official acting as absentee election manager.

7 "(3) ~~The~~ Any necessary costs associated with
8 programming or testing election equipment prior to an election
9 and the costs of ballots, supplies, and other materials or
10 equipment necessary for election officials to conduct
11 elections as required by law and as certified by the judge of
12 probate as chief election official of the county.

13 "(4) The costs of absentee ballots, supplies,
14 postage, and other materials required by law to be furnished
15 to the absentee election manager.

16 "(5) The cost of preparing and furnishing the lists
17 of qualified electors to the election officials as required by
18 law.

19 "(6) The cost of publishing any notice or other item
20 related to any election and required by law, including, but
21 not limited to, the publication of notice of any election and
22 any voter lists.

23 "(7) Any other reasonable and necessary election
24 costs not specifically set out herein provided adequate
25 documentation of the expense and reason therefor is submitted
26 by the county seeking reimbursement.

27 "§17-16-2.1.

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

7 "(1) A member of the Governor's staff designated by
8 the Governor.

9 "~~(1)~~ (2) The President Pro Tempore of the Alabama
10 Senate.

11 "~~(2)~~ (3) The Speaker of the Alabama House of
12 Representatives.

13 "~~(3)~~ (4) The Secretary of State or his or her
14 designee.

15 "~~(4)~~ (5) The Director of Finance or his or her
16 designee.

17 "~~(5)~~ (6) The chair of the Senate Constitution,
18 Campaign Finance, Ethics and Election Committee or its
19 successor committee.

20 "~~(6)~~ (7) The chair of the House Constitution,
21 Campaign and Elections Committee or its successor committee.

22 "~~(7)~~ (8) The chair of the Senate Finance and Taxation
23 General Fund Committee or its successor committee.

24 "~~(8)~~ (9) The chair of the House Ways and Means
25 General Fund Committee or its successor committee.

26 "~~(10) The Director of the Legislative Fiscal Office~~
27 ~~or his or her designee.~~

1 ~~"11~~ (10) The President of the Association of County
2 Commissions of Alabama.

3 ~~"12~~ (11) The President of the Alabama Probate Judges
4 Association.

5 "(b) The committee shall meet not less than 90 days
6 prior to ~~the~~ any state primary ~~set for June 2012~~ to develop
7 ~~and approve the~~ a list of reimbursable expenses for the
8 upcoming election cycle. ~~After~~ Once the list has been approved
9 by the committee, it shall be forwarded to the Comptroller's
10 office. The Comptroller shall determine which items included
11 on the recommended list shall be approved for reimbursement to
12 counties. If the Comptroller does not include an item on the
13 recommended list on the list of approved expenses, the
14 Comptroller shall provide the committee with a detailed
15 explanation of the reasons therefor. The Comptroller shall
16 distribute the list of approved expenses to the chair of each
17 county commission and each probate judge in the state no later
18 than 60 days prior to the date of the primary. The list of
19 approved expenses shall apply in all elections and remain in
20 effect until and unless amended by the ~~committee~~ Comptroller
21 at least 90 days prior to the primary in a subsequent election
22 cycle."

23 Section 2. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Constitution,
Campaigns and Elections..... 14-FEB-12

Read for the second time and placed
on the calendar..... 23-FEB-12

Read for the third time and passed
as amended..... 08-MAR-12

Yeas 92, Nays 0, Abstains 1

Greg Pappas
Clerk