

1 HB91  
2 155743-2  
3 By Representative Merrill  
4 RFD: Constitution, Campaigns and Elections  
5 First Read: 14-JAN-14  
6 PFD: 01/06/2014

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8 SYNOPSIS: Existing law does not specifically provide a  
9 penalty for a person or entity who collects voter  
10 registration applications and fails to deliver the  
11 applications to the appropriate board of  
12 registrars.

13 This bill would require each person or  
14 entity who collects voter registration applications  
15 to deliver the applications to the appropriate  
16 board of registrars within 72 hours after the  
17 collection of the applications.

18 This bill would provide criminal penalties  
19 for violations of this act.

20 Amendment 621 of the Constitution of Alabama  
21 of 1901, now appearing as Section 111.05 of the  
22 Official Recompilation of the Constitution of  
23 Alabama of 1901, as amended, prohibits a general  
24 law whose purpose or effect would be to require a  
25 new or increased expenditure of local funds from  
26 becoming effective with regard to a local  
27 governmental entity without enactment by a 2/3 vote

1           unless: it comes within one of a number of  
2           specified exceptions; it is approved by the  
3           affected entity; or the Legislature appropriates  
4           funds, or provides a local source of revenue, to  
5           the entity for the purpose.

6           The purpose or effect of this bill would be  
7           to require a new or increased expenditure of local  
8           funds within the meaning of the amendment. However,  
9           the bill does not require approval of a local  
10          governmental entity or enactment by a 2/3 vote to  
11          become effective because it comes within one of the  
12          specified exceptions contained in the amendment.

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14                           A BILL  
15                           TO BE ENTITLED  
16                           AN ACT

17  
18           Relating to voter registration; to require each  
19          person or entity who collects voter registration applications  
20          to deliver the applications to the appropriate board of  
21          registrars within 72 hours after collection of the  
22          applications; to provide penalties for violations; and in  
23          connection therewith would have as its purpose or effect the  
24          requirement of a new or increased expenditure of local funds  
25          within the meaning of Amendment 621 of the Constitution of  
26          Alabama of 1901, now appearing as Section 111.05 of the

1 Official Recompilation of the Constitution of Alabama of 1901,  
2 as amended.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. (a) Each person or entity who collects  
5 voter registration applications shall deliver the applications  
6 to the appropriate board of registrars within 72 hours after  
7 collection of the applications or on the next business day if  
8 the appropriate office is closed for that 72-hour period.

9 (b) Any person or entity that willfully violates  
10 subsection (a) shall be guilty, upon conviction, of a Class C  
11 misdemeanor and the prohibition to participate in organizing  
12 future duties is one year.

13 Section 2. Although this bill would have as its  
14 purpose or effect the requirement of a new or increased  
15 expenditure of local funds, the bill is excluded from further  
16 requirements and application under Amendment 621, now  
17 appearing as Section 111.05 of the Official Recompilation of  
18 the Constitution of Alabama of 1901, as amended, because the  
19 bill defines a new crime or amends the definition of an  
20 existing crime.

21 Section 3. This act shall become effective on the  
22 first day of the third month following its passage and  
23 approval by the Governor, or its otherwise becoming law.