

1 HB254
2 165365-3
3 By Representatives Ainsworth, Shedd, Jones, Wilcox, Whorton
4 (I), Faulkner, South, Rowe, Sanderford, Fridy, Rich,
5 McCutcheon, Ledbetter, Whorton (R), Sessions, Ball, Farley,
6 Harbison, Mooney, Butler, Hanes, Greer, Gaston, Johnson (K),
7 Holmes (M), Carns, Drake, Williams (JW), Hill (J), Sells,
8 Beckman, Shiver, Ingram, Davis, Standridge, Fincher, Wingo,
9 Brown, Clouse, Lee, Hammon, Moore (B) and Nordgren
10 RFD: Constitution, Campaigns and Elections
11 First Read: 11-MAR-15

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 To amend Section 17-4-38, Code of Alabama 1975,
9 relating to the Secretary of State; to authorize the Secretary
10 of State to share voter lists with other states free of
11 charge; to require state agencies to provide information and
12 data to the Secretary of State as necessary to maintain the
13 statewide voter registration database; and to authorize the
14 Secretary of State to enter into agreements to share
15 information with other states in order to maintain the
16 statewide voter registration database.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. Section 17-4-38 of the Code of Alabama
19 1975, is amended to read as follows:

20 "§17-4-38.

21 "The Secretary of State shall ensure that all
22 applicants obtain requested voter lists in a timely manner.
23 Methods shall be established for the transmission of tapes,
24 discs, or lists to any applicant. Hindrances shall not be
25 created or devised to delay transmission of tapes, discs, or
26 lists to any applicant. Except as provided in this section,
27 there shall be a uniform charge for the production of voter

1 lists. The reproduction costs of the basic electronic copy of
2 the statewide file shall be reasonable as determined by the
3 Secretary of State and a fee schedule shall be conspicuously
4 posted in the office of the Secretary of State. Costs of
5 printed copies of lists are as otherwise provided by law.
6 Access to the lists and voter history information contained on
7 the central computer in the office of the Secretary of State
8 is accessible to anyone making application, except Social
9 Security numbers which are not to be released. Proceeds from
10 the sale of tapes, discs, lists, labels, or other materials
11 from the Secretary of State shall be retained by the Secretary
12 of State for use in voter registration. Upon application and
13 without charge, legislators shall be furnished up to two free
14 printed copies of the voter lists for their districts during a
15 legislative quadrennium and resale of the lists shall be
16 strictly prohibited. Upon application and without charge, the
17 Administrative Office of Courts shall be provided with an
18 electronic copy of the statewide voter list no more than once
19 a year for its use in the production of a master jury list or
20 for any other lawful purpose. Upon application and without
21 charge, the chief elections officer of any other state shall
22 be provided with an electronic copy of the statewide voter
23 list no more than once a year for any lawful purpose, on the
24 condition that the chief elections officer of the requesting
25 state agrees to reciprocate and provide a copy of the
26 statewide voter list of that state to the chief elections
27 officer of this state upon request and without charge, to be

1 used for any lawful purpose. The Secretary of State may enter
2 into an agreement with any other state, at any time, regarding
3 the exchange of statewide voter lists. Resale of any portion
4 of the list by the Administrative Office of Courts, or the
5 office of the chief elections officer of any other state,
6 shall be strictly prohibited."

7 Section 2. Section 17-4-38.1 is added to the Code of
8 Alabama 1975, to read as follows:

9 §17-4-38.1.

10 ~~(a) State agencies including, but not limited to,~~
11 ~~the Alabama Department of Public Safety, shall provide to the~~
12 (a) State agencies shall provide to the Secretary of State, on
13 a schedule to be determined by the Secretary of State, any
14 information and data that the Secretary of State considers
15 necessary in order to maintain the statewide voter
16 registration database established pursuant to Section 17-4-33,
17 except where prohibited by federal law or federal regulation.
18 The Secretary of State shall ensure that any information or
19 data provided to the Secretary of State that is confidential
20 in the possession of the entity providing the data remains
21 confidential while in the possession of the Secretary of
22 State.

23 (b) The Secretary of State may enter into agreements
24 to share information or data with other states or group of
25 states, as the Secretary of State considers necessary, in
26 order to maintain the statewide voter registration database.
27 Information or data that the Secretary of State may share

1 pursuant to this subsection includes, but is not limited to,
2 an electronic copy of the statewide voter list and data
3 obtained pursuant to subsection (a). Except as otherwise
4 provided in this section, the Secretary of State shall ensure
5 that any information or data provided to the Secretary of
6 State that is confidential in the possession of the state
7 providing the data remains confidential while in the
8 possession of the Secretary of State. The Secretary of State
9 may provide such otherwise confidential information or data to
10 county boards of registrars for legitimate governmental
11 purposes related to the maintenance of the statewide voter
12 registration database.

13 (c) A county board of registrars shall contact a
14 registered elector by mail to verify the accuracy of the
15 information in the statewide voter registration database
16 regarding that elector if information provided under
17 subsection (a) or (b) identifies a residential address for the
18 elector that lies outside of the county in which the elector
19 is registered to vote, except when the information provided
20 under subsection (a) or (b) indicates that the elector
21 registered to vote in another jurisdiction, within or without
22 the State of Alabama, at a date subsequent to the date the
23 elector registered to vote in the jurisdiction of the county
24 board of registrars.

25 (d) The costs associated with agreements entered
26 into by the Secretary of State as provided for in subsection
27 (b) may be rendered by the Secretary of State to the

1 Department of Finance and paid from the voter registration
2 fund.

3 The cost of production and mailing required in
4 subsection (c) shall be rendered by the Secretary of State to
5 the Department of Finance and paid from the voter registration
6 fund.

7 (e) The Secretary of State may promulgate rules in
8 accordance with the Administrative Procedure Act to implement
9 this section.

10 Section 3. This act shall become effective on the
11 first day of the third month following its passage and
12 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..... 11-MAR-15

Read for the second time and placed
on the calendar 1 amendment 18-MAR-15

Read for the third time and passed
as amended..... 21-APR-15

Yeas 92, Nays 10, Abstains 0

Jeff Woodard
Clerk