

1 HB254
2 165365-4
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

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ENROLLED, An Act,

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§17-4-38.

"The Secretary of State shall ensure that all applicants obtain requested voter lists in a timely manner. Methods shall be established for the transmission of tapes, discs, or lists to any applicant. Hindrances shall not be created or devised to delay transmission of tapes, discs, or lists to any applicant. Except as provided in this section, there shall be a uniform charge for the production of voter lists. The reproduction costs of the basic electronic copy of the statewide file shall be reasonable as determined by the Secretary of State and a fee schedule shall be conspicuously

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

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

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

8 §17-4-38.1.

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

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

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

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

1 (d) The costs associated with agreements entered
2 into by the Secretary of State as provided for in subsection
3 (b) may be rendered by the Secretary of State to the
4 Department of Finance and paid from the voter registration
5 fund.

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

10 (e) The Secretary of State may promulgate rules in
11 accordance with the Administrative Procedure Act to implement
12 this section.

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

