

1 HB254  
2 165365-1  
3 By Representatives Ainsworth, Shedd, Jones, Wilcox,  
4 Whorton (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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8 SYNOPSIS: This bill would authorize the Secretary of  
9 State to share voter lists with other states free  
10 of charge.

11 This bill would also require the Department  
12 of Public Safety and other state agencies to  
13 provide information and data to the Secretary of  
14 State as necessary to maintain the statewide voter  
15 registration database and to enter into agreements  
16 to share information with other states in order to  
17 maintain the statewide voter registration database.

18  
19 A BILL  
20 TO BE ENTITLED  
21 AN ACT  
22

23 To amend Section 17-4-38, Code of Alabama 1975,  
24 relating to the Secretary of State; to authorize the Secretary  
25 of State to share voter lists with other states free of  
26 charge; to require the Department of Public Safety and other  
27 state agencies to provide information and data to the

1 Secretary of State as necessary to maintain the statewide  
2 voter registration database; and to authorize the Secretary of  
3 State to enter into agreements to share information with other  
4 states in order to maintain the statewide voter registration  
5 database.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. Section 17-4-38 of the Code of Alabama  
8 1975, is amended to read as follows:

9 "§17-4-38.

10 "The Secretary of State shall ensure that all  
11 applicants obtain requested voter lists in a timely manner.  
12 Methods shall be established for the transmission of tapes,  
13 discs, or lists to any applicant. Hindrances shall not be  
14 created or devised to delay transmission of tapes, discs, or  
15 lists to any applicant. Except as provided in this section,  
16 there shall be a uniform charge for the production of voter  
17 lists. The reproduction costs of the basic electronic copy of  
18 the statewide file shall be reasonable as determined by the  
19 Secretary of State and a fee schedule shall be conspicuously  
20 posted in the office of the Secretary of State. Costs of  
21 printed copies of lists are as otherwise provided by law.  
22 Access to the lists and voter history information contained on  
23 the central computer in the office of the Secretary of State  
24 is accessible to anyone making application, except Social  
25 Security numbers which are not to be released. Proceeds from  
26 the sale of tapes, discs, lists, labels, or other materials  
27 from the Secretary of State shall be retained by the Secretary

1 of State for use in voter registration. Upon application and  
2 without charge, legislators shall be furnished up to two free  
3 printed copies of the voter lists for their districts during a  
4 legislative quadrennium and resale of the lists shall be  
5 strictly prohibited. Upon application and without charge, the  
6 Administrative Office of Courts shall be provided with an  
7 electronic copy of the statewide voter list no more than once  
8 a year for its use in the production of a master jury list or  
9 for any other lawful purpose. Upon application and without  
10 charge, the chief elections officer of any other state shall  
11 be provided with an electronic copy of the statewide voter  
12 list no more than once a year for any lawful purpose, on the  
13 condition that the chief elections officer of the requesting  
14 state agrees to reciprocate and provide a copy of the  
15 statewide voter list of that state to the chief elections  
16 officer of this state upon request and without charge, to be  
17 used for any lawful purpose. The Secretary of State may enter  
18 into an agreement with any other state, at any time, regarding  
19 the exchange of statewide voter lists. Resale of any portion  
20 of the list by the Administrative Office of Courts, or the  
21 office of the chief elections officer of any other state,  
22 shall be strictly prohibited."

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

25 §17-4-38.1.

26 (a) State agencies including, but not limited to,  
27 the Alabama Department of Public Safety, shall provide to the

1 Secretary of State, on a schedule to be determined by the  
2 Secretary of State, any information and data that the  
3 Secretary of State considers necessary in order to maintain  
4 the statewide voter registration database established pursuant  
5 to Section 17-4-33, except where prohibited by federal law or  
6 federal regulation. The Secretary of State shall ensure that  
7 any information or data provided to the Secretary of State  
8 that is confidential in the possession of the entity providing  
9 the data remains confidential while in the possession of the  
10 Secretary of State.

11 (b) The Secretary of State may enter into agreements  
12 to share information or data with other states or group of  
13 states, as the Secretary of State considers necessary, in  
14 order to maintain the statewide voter registration database.  
15 Information or data that the Secretary of State may share  
16 pursuant to this subsection includes, but is not limited to,  
17 an electronic copy of the statewide voter list and data  
18 obtained pursuant to subsection (a). Except as otherwise  
19 provided in this section, the Secretary of State shall ensure  
20 that any information or data provided to the Secretary of  
21 State that is confidential in the possession of the state  
22 providing the data remains confidential while in the  
23 possession of the Secretary of State. The Secretary of State  
24 may provide such otherwise confidential information or data to  
25 county boards of registrars for legitimate governmental  
26 purposes related to the maintenance of the statewide voter  
27 registration database.

1                   (c) A county board of registrars shall contact a  
2 registered elector by mail to verify the accuracy of the  
3 information in the statewide voter registration database  
4 regarding that elector if information provided under  
5 subsection (a) or (b) identifies a residential address for the  
6 elector that lies outside of the county in which the elector  
7 is registered to vote, except when the information provided  
8 under subsection (a) or (b) indicates that the elector  
9 registered to vote in another jurisdiction, within or without  
10 the State of Alabama, at a date subsequent to the date the  
11 elector registered to vote in the jurisdiction of the county  
12 board of registrars.

13                   (d) The costs associated with agreements entered  
14 into by the Secretary of State as provided for in subsection  
15 (b) may be rendered by the Secretary of State to the  
16 Department of Finance and paid from the voter registration  
17 fund.

18                   (e) The Secretary of State may promulgate rules in  
19 accordance with the Administrative Procedure Act to implement  
20 this section.

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.