

1 HB205  
2 164293-2  
3 By Representative Fincher  
4 RFD: Constitution, Campaigns and Elections  
5 First Read: 11-FEB-16

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8 SYNOPSIS: Under existing law, a registrar of voters  
9 may not hold an elective office during his or her  
10 term but may run as a candidate for an elective  
11 office.

12 This bill would prohibit a registrar from  
13 running for an elective public office while serving  
14 as a registrar.

15 This bill would automatically terminate a  
16 registrar on the day the registrar files his or her  
17 declaration of candidacy for public office.

18  
19 A BILL

20 TO BE ENTITLED

21 AN ACT

22  
23 Relating to registrars of voters; to amend Sections  
24 17-3-2 and 17-3-3, Code of Alabama 1975, to prohibit a  
25 registrar from running for an elective public office while  
26 serving as a registrar, and to automatically terminate a

1 registrar on the day the registrar files his or her  
2 declaration of candidacy for public office.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Sections 17-3-2 and 17-3-3, Code of  
5 Alabama 1975, are amended to read as follows:

6 "§17-3-2.

7 "(a) Registration shall be conducted in each county  
8 by a board of three reputable and suitable persons to be  
9 appointed, unless otherwise provided by law, by the Governor,  
10 Auditor, and Commissioner of Agriculture and Industries, or by  
11 a majority of them acting as a state board of appointment. The  
12 registrars shall be qualified electors, residents of the  
13 county, shall have a high school diploma or equivalent, and  
14 possess the minimum computer and map reading skills necessary  
15 to function in the office. The Secretary of State shall  
16 prescribe guidelines to assist the state board of appointment  
17 in determining the qualifications of registrars. ~~The~~  
18 ~~registrars~~ A registrar shall not be a candidate for nomination  
19 or election to any public office nor hold an elective public  
20 office during ~~their~~ his or her term. One of the members shall  
21 be designated by the state board of appointment as chair of  
22 the board of registrars for each county.

23 "(b) Notwithstanding the provisions of subsection  
24 (a), the Legislature may provide by local law for the  
25 appointment of additional members to the board of registrars  
26 for a county that has two courthouses.

1           "(c) The provisions of this section shall not apply  
2 in any county having a population of not less than 600,000  
3 inhabitants according to the 1970 or any succeeding federal  
4 decennial census, and any currently effective local law or  
5 general law of local application providing for the appointment  
6 of any member of the board of registrars in the county shall  
7 remain in full force and effect and shall not be repealed by  
8 operation of this chapter.

9           "§17-3-3.

10           "(a) The registrars appointed under this article may  
11 be removed for cause by the Secretary of State at any time  
12 before the end of their term of office, upon submitting  
13 written reasons therefor to the registrar removed and to the  
14 members of the state board of appointment. If not so removed,  
15 the registrar may hold office for four years from the date of  
16 appointment and until a successor is appointed.

17           "(b) If a registrar intends to run for an elective  
18 public office, the registrar shall resign by written notice  
19 submitted to the state board of appointment no later than the  
20 day when the registrar files his or her declaration of  
21 candidacy for public office. Regardless of whether a registrar  
22 has so notified the board of appointment, a registrar's term  
23 shall automatically terminate on the date he or she files the  
24 declaration."

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

