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3 HOUSE CC&E SUBSTITUTE FOR SB137, AS ENGROSSED  
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8 SYNOPSIS: Under existing law, voter registration is  
9 conducted in each county by a board of registrars  
10 consisting of three qualified electors who are  
11 residents of the county and compensated for their  
12 services.

13 This bill would specify that appointees the  
14 boards of registrars serve at the pleasure of the  
15 appointing authorities and would require appointees  
16 to meet certain qualification requirements.

17 This bill would also clarify the  
18 compensation received by registrars, would require  
19 the boards to be open during the same hours as the  
20 county courthouse, and would require the presence  
21 of at least one registrar during those hours.  
22

23 A BILL  
24 TO BE ENTITLED  
25 AN ACT  
26

1                   Relating to boards of registrars; to amend Sections  
2 17-3-2, 17-3-5, as last amended by Act 2016-311, 2016 Regular  
3 Session, and 17-3-8, Code of Alabama 1975, to specify that  
4 appointees to boards of registrars serve at the pleasure of  
5 the appointing authorities and require appointees to meet  
6 certain minimum qualification requirements; to clarify the  
7 compensation received by registrars; to require the boards to  
8 be open during the same hours as the county courthouse; and to  
9 require the presence of at least one registrar during those  
10 hours.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12                   Section 1. Sections 17-3-2, 17-3-5, as last amended  
13 by Act 2016-311, 2016 Regular Session, and 17-3-8, Code of  
14 Alabama 1975, are amended to read as follows:

15                   "§17-3-2.

16                   "(a) Registration shall be conducted in each county  
17 by a board of three reputable and suitable persons to be  
18 appointed, unless otherwise provided by law, by the Governor,  
19 Auditor, and Commissioner of Agriculture and Industries, or by  
20 a majority of them acting as a state board of appointment. The  
21 registrars shall be qualified electors, residents of the  
22 county, shall have a high school diploma or equivalent, and  
23 possess the minimum computer and map reading skills necessary  
24 to function in the office. ~~The Secretary of State shall~~  
25 ~~prescribe guidelines to assist the state board of appointment~~  
26 ~~in determining the qualifications of registrars.~~ The  
27 registrars shall not hold an elective office during their

1 term. One of the members shall be designated by the state  
2 board of appointment as chair of the board of registrars for  
3 each county.

4 "(b) Beginning with appointments made after January  
5 1, 2019, each appointee shall serve at the pleasure of the  
6 appointing authority. The appointing authorities shall  
7 coordinate their appointments to enhance racial, gender,  
8 urban, rural, and economic diversity. Prior to appointment,  
9 all applicants for registrar shall meet the requirements of an  
10 administrative support assistant I as certified by the State  
11 of Alabama Personnel Department.

12 "(c) Notwithstanding the provisions of subsection  
13 (a), the Legislature may provide by local law for the  
14 appointment of additional members to the board of registrars  
15 for a county that has two courthouses.

16 "~~(c)~~ (d) The provisions of this section shall not  
17 apply in any county having a population of not less than  
18 600,000 inhabitants according to the 1970 or any succeeding  
19 federal decennial census, and any currently effective local  
20 law or general law of local application providing for the  
21 appointment of any member of the board of registrars in the  
22 county shall remain in full force and effect and shall not be  
23 repealed by operation of this chapter.

24 "§17-3-5.

25 "(a) Each registrar shall receive a salary in the  
26 amount of eighty dollars (\$80) per working day for each  
27 working day's attendance upon business of the board, to be

1 paid by the state and disbursed to the county commissions and  
2 disbursed by the county commissions to each registrar on order  
3 of a quorum of the board of registrars of the county. The  
4 state Comptroller shall issue to each county commission on a  
5 monthly basis an amount sufficient to fund these payments plus  
6 the employer share of the Social Security or Federal Insurance  
7 Corporation Act tax. The county commission will provide to the  
8 state Comptroller an invoice itemized to reflect payments  
9 made. If a legal holiday falls on a day the board is to be in  
10 session, and the courthouse of the county is closed for the  
11 holiday, the board of registrars shall be compensated for the  
12 holiday. Each registrar shall receive a mileage allowance  
13 equal to the amount allowed state employees or employees of  
14 the county, whichever is greater, for official travel in the  
15 course of attending the business of the board, including  
16 attending continuing education programs. Travel and other  
17 expenses shall be paid by the county commissions to the boards  
18 of registrars and the state shall reimburse the county  
19 commissions based on a written request submitted by the county  
20 commissions to the state Comptroller.

21 "(b) The provisions of this section regarding travel  
22 mileage shall not apply in any county having a population of  
23 600,000 or more inhabitants according to the 1970 or any  
24 succeeding federal decennial census, and any currently  
25 effective local law or general law of local application  
26 regarding travel mileage for registrars in the county shall

1 remain in full force and effect and shall not be repealed by  
2 operation of this chapter.

3 "(c) Members of the boards of registrars of this  
4 state are hereby declared to be state employees for the  
5 purposes of Chapter 28 of Title 36.

6 "(d) Members of the boards of registrars of this  
7 state shall be treated as equals with other state and county  
8 employees in regard to Social Security protection and  
9 benefits.

10 "(e) All payments by a county to any member of a  
11 county board of registrars (except for mileage or  
12 reimbursement for expenses) shall be treated for Social  
13 Security purposes equally with payments by that county to  
14 other county employees of the county.

15 "(f) The state office for Social Security and the  
16 state Comptroller and each county commission are directed to  
17 take all necessary action to insure that members of the boards  
18 of registrars of this state are treated as other state and  
19 county employees in regard to Social Security protection and  
20 benefits as provided in Chapter 28 of Title 36, including, if  
21 necessary, amending the federal-state agreement referred to in  
22 Chapter 28 of Title 36, to implement the intent of the  
23 Legislature as expressed herein.

24 "(g) No county commission may reduce the current  
25 county supplement upon the effect of this section by  
26 implementation of Act 94-693.

1           "(h) A county commission may allow the chair or any  
2 member of the county board of registrars who has served at  
3 least 16 years in that position to participate in any health  
4 insurance program provided by the county upon the same terms,  
5 conditions, and employee contributions as required for county  
6 employees.

7           "This subsection shall not apply to any health  
8 insurance plans administered by the State of Alabama as  
9 described in Title 36, Chapter 29 and Title 11, Chapter 91A.

10           "§17-3-8.

11           "(a) Each member of the board of registrars in the  
12 Counties of Chambers, Clay, Cleburne, Coosa, Dallas, Escambia,  
13 Geneva, Lowndes, Perry, Sumter, and Wilcox may meet a maximum  
14 of 120 working days each fiscal year; each member of the board  
15 of registrars in the Counties of Barbour, Blount, Butler,  
16 Fayette, Greene, Lee, Marengo, Pickens, Pike, Randolph, and  
17 Winston may meet a maximum of 168 working days each fiscal  
18 year, except in the Counties of Lee and Pike each board of  
19 registrars may meet up to an additional 30 session days each  
20 fiscal year, at the discretion of the chair of the county  
21 commission, and such days shall be paid from the respective  
22 county funds; each member of the board of registrars in  
23 Tallapoosa County and each member of the board of registrars  
24 in Talladega County may meet a maximum of 220 working days  
25 each fiscal year, except that in Talladega County the board of  
26 registrars may meet up to an additional 30 session days each  
27 fiscal year, at the discretion of the chair of the county

1 commission; each member of the board of registrars in the  
2 Counties of Dale, Franklin, Houston, Marion, Marshall,  
3 Bullock, Macon, and Tuscaloosa may meet a maximum of 216  
4 working days each fiscal year; each member of the board of  
5 registrars in the Counties of Limestone and Shelby may meet a  
6 maximum of 167 working days each fiscal year; and each member  
7 of the board of registrars in Russell County may meet a  
8 maximum of 177 working days each fiscal year.

9 "(b) In the Counties of Choctaw, Coffee, Colbert,  
10 Cullman, Lauderdale, and Monroe each member of the board of  
11 registrars may meet a maximum of 199 working days each fiscal  
12 year.

13 "(c) Each member of the Board of Registrars of  
14 Autauga, Elmore, and Bibb Counties may meet a maximum of 187  
15 working days each fiscal year. Each member of the Board of  
16 Registrars of Walker County may meet a maximum of 200 days  
17 each fiscal year and each member of the Board of Registrars of  
18 Lamar, Cherokee, Clarke, Conecuh, Crenshaw, Hale, and  
19 Washington Counties may meet a maximum of 140 days each fiscal  
20 year. Each member of the board of registrars in the following  
21 counties may meet the following maximum number of working days  
22 each fiscal year: Henry - 140 working days; Covington - 188  
23 working days; DeKalb - 207 working days; Jackson - 207 working  
24 days; Etowah - 207 working days; and Lawrence - 140 working  
25 days.

26 "(d) Each member of the board of registrars in the  
27 Counties of Baldwin, Calhoun, Chilton, Madison, Mobile,

1 Montgomery, St. Clair, and Morgan are authorized to meet not  
2 more than five days each week for the purpose of carrying out  
3 their official duties. Jefferson County, which is now  
4 operating under the provisions of local laws, shall be  
5 exempted from the provisions of this section. Provided,  
6 however, that where the words "each year" are used in the  
7 local laws the words mean "each fiscal year."

8 "(e) The actual number of working days to be used as  
9 session days shall be determined by a quorum of the board of  
10 registrars according to the needs of the county.

11 "(f) As many as 25 of the allotted working days may  
12 be used for special registration sessions (i.e., those  
13 sessions held away from the courthouse in the several  
14 precincts of the county or sessions held on Saturday or  
15 between the hours of 5:00 P.M. and 9:00 P.M.). Notice of any  
16 special session scheduled by the board shall be given at least  
17 10 days prior to the special session by (1) bills posted at  
18 three or more public places in each election precinct  
19 affected, if the session involves precinct visits, and (2)  
20 advertisement once a week for two successive weeks in a  
21 newspaper published in the county or by radio or television  
22 announcements on a local station, or both by newspaper or  
23 announcement.

24 "(g) On working days, boards of registrars shall be  
25 open the same hours as the courthouse of the county. The  
26 registrars shall coordinate the working schedule to ensure



1 that at least one registrar is present at all times during  
2 those hours."

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