

1 HB441  
2 196482-1  
3 By Representative McClammy  
4 RFD: Constitution, Campaigns and Elections  
5 First Read: 16-APR-19

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8 SYNOPSIS: Under existing law, in elections for the  
9 President and Vice President of the United States,  
10 all of the electoral votes for the state are  
11 assigned to the presidential candidate who won the  
12 statewide popular vote.

13 This bill would provide that one  
14 presidential elector is chosen from each  
15 congressional district and two presidential  
16 electors are chosen at large.

17 This bill would require the at-large  
18 presidential electors to cast their ballots for the  
19 presidential candidate who received the largest  
20 number of votes in the state, and the congressional  
21 district presidential electors to cast their  
22 ballots for the presidential candidate who received  
23 the largest number of votes in each respective  
24 congressional district.

25  
26 A BILL  
27 TO BE ENTITLED

1 AN ACT

2  
3 Relating to presidential elections; to amend  
4 Sections 17-14-10, 17-14-30, 17-14-31, 17-14-32, and 17-14-36,  
5 Code of Alabama 1975; to provide that one presidential elector  
6 is chosen from each congressional district and two  
7 presidential electors are chosen at large; and to require an  
8 at-large presidential elector to cast a ballot for the  
9 presidential candidate who received the largest number of  
10 votes in the state, and each congressional district  
11 presidential elector to cast a ballot for the presidential  
12 candidate who received the largest number of votes in the  
13 elector's respective congressional district.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Sections 17-14-10, 17-14-30, 17-14-31,  
16 17-14-32, and 17-14-36, Code of Alabama 1975, are amended to  
17 read as follows:

18 "§17-14-10.

19 "(a) Electors for President and Vice President of  
20 the United States shall be elected on the first Tuesday after  
21 the first Monday in November 2008, and every fourth year  
22 thereafter.

23 "(b) A member of Congress from each congressional  
24 district shall be elected on the first Tuesday after the first  
25 Monday in November 2006, and every second year thereafter.

26 "§17-14-30.

1           "(a) On the day prescribed in subsection (a) of  
2           Section 17-14-10, ~~there are to be elected, in the manner~~  
3           ~~provided in this chapter, a number of~~ the electors for  
4           President and Vice President of the United States ~~equal to the~~  
5           ~~number of senators and representatives in Congress to which~~  
6           ~~this state is entitled at the time of such election~~ shall be  
7           chosen at the general election. A vote for the candidate for  
8           President is a vote for the presidential electors nominated by  
9           the candidate's political party or by petition.

10           "(b) One presidential elector shall be chosen from  
11           each congressional district and two at large.

12           "§17-14-31.

13           "(a) When presidential electors are to be chosen,  
14           the Secretary of State of Alabama shall certify to the judges  
15           of probate of the several counties the names of all candidates  
16           for President and Vice President who are nominated by any  
17           national convention or other like assembly of any political  
18           party or by written petition signed by at least 5,000  
19           qualified voters of this state.

20           "(b) The certificate of nomination by a political  
21           party convention must be signed by the presiding officer and  
22           secretary of the convention and by the chair of the state  
23           executive or central committee of the political party making  
24           the nomination. Any nominating petition, to be valid, must  
25           contain the signatures as well as the addresses of the  
26           petitioners. Such certificates and petitions must be filed in

1 the office of the Secretary of State no later than the 82nd  
2 day next preceding the day fixed for the election.

3 "(c) Each certificate of nomination and nominating  
4 petition must be accompanied by a list of the names and  
5 addresses of persons, who shall be qualified voters of this  
6 state, equal in number to the number of presidential electors  
7 to be chosen as provided in subsection (b) of Section  
8 17-14-30. Each ~~person~~ individual so listed shall execute the  
9 following statement which shall be attached to the certificate  
10 or petition when the same is filed with the Secretary of  
11 State: "I do hereby consent and do hereby agree to serve as  
12 elector for President and Vice President of the United States,  
13 ~~if elected to that position,~~ and do hereby agree that, ~~if so~~  
14 ~~elected, I shall cast my ballot as such elector for \_\_\_\_\_ for~~  
15 ~~President and \_\_\_\_\_ for Vice President of the United States"~~  
16 ~~(inserting in the blank spaces the respective names of the~~  
17 ~~persons named as nominees for the respective offices in the~~  
18 ~~certificate to which this statement is attached)~~ I shall cast  
19 my ballot for President and Vice President for the  
20 presidential and vice-presidential candidates who received the  
21 highest number of votes in the state if I am an at-large  
22 presidential elector or the highest number of votes in my  
23 congressional district if I am a congressional district  
24 presidential elector".

25 "§17-14-32.

26 "The names of all candidates for President and Vice  
27 President who are nominated as provided in this chapter shall

1 be printed on the official ballots under the emblem of their  
2 respective political parties, as filed in the office of the  
3 Secretary of State of Alabama. The names of the electors of  
4 the candidates for President and Vice President shall not be  
5 printed upon the ballots. ~~A vote for a candidate for President  
6 or Vice President shall be counted as a vote for the electors  
7 of the political party or independent body by which such  
8 candidates were named, as listed on the certificate of  
9 nomination or nominating petition.~~

10 "§17-14-36.

11 "The electors of President and Vice President are to  
12 assemble at the office of the Secretary of State, at the seat  
13 of government at 12:00 noon on the second Tuesday in December  
14 next after their election, or at that hour on such other day  
15 as may be fixed by Congress, to elect such President and Vice  
16 President, ~~and those of them present at that hour must at  
17 once proceed by ballot and plurality of votes to supply the  
18 places of those who fail to attend on that day and hour. The  
19 at-large presidential electors shall cast their ballots for  
20 the President and Vice President candidates who received the  
21 largest number of votes in the state. The congressional  
22 district presidential electors shall cast their ballots for  
23 the President and Vice President candidates who received the  
24 largest number of votes in each respective congressional  
25 district."~~

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