

1 SB128  
2 198907-3  
3 By Senator Elliott  
4 RFD: Governmental Affairs  
5 First Read: 19-MAR-19

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4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

10  
11 Relating to elections; to add Section 17-9-50.1 to  
12 the Code of Alabama 1975; to prohibit an individual from  
13 taking a photograph or otherwise revealing the contents of  
14 another voter's ballot at any polling place; to provide that a  
15 violation is a Class A misdemeanor; and in connection  
16 therewith would have as its purpose or effect the requirement  
17 of a new or increased expenditure of local funds within the  
18 meaning of Amendment 621 of the Constitution of Alabama of  
19 1901, now appearing as Section 111.05 of the Official  
20 Recompilation of the Constitution of Alabama of 1901, as  
21 amended.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Section 17-9-50.1 is added to the Code of  
24 Alabama 1975 to read as follows:

25 §17-9-50.1.

1           (a) At any polling place in any state, county, or  
2 municipal election, an individual may not do either of the  
3 following:

4           (1) Take a photograph of a ballot, other than the  
5 individual's own ballot.

6           (2) Reveal another voter's ballot in a manner that  
7 would disclose its contents to anyone other than an individual  
8 lawfully assisting the voter.

9           (b) An individual who violates subsection (a), upon  
10 conviction, shall be guilty of a Class A misdemeanor.

11           (c) This section does not prohibit a voter from  
12 making available a photograph of the voter's own ballot by  
13 posting the photograph on the Internet or in some other  
14 electronic medium, and any retransmittal of the photograph  
15 does not constitute a violation of this section.

16           Section 2. Although this bill would have as its  
17 purpose or effect the requirement of a new or increased  
18 expenditure of local funds, the bill is excluded from further  
19 requirements and application under Amendment 621, now  
20 appearing as Section 111.05 of the Official Recompilation of  
21 the Constitution of Alabama of 1901, as amended, because the  
22 bill defines a new crime or amends the definition of an  
23 existing crime.

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

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Senate

Read for the first time and referred to the Senate  
committee on Governmental Affairs..... 19-MAR-19

Read for the second time and placed on the calen-  
dar with 1 substitute and..... 09-APR-19

Read for the third time and passed as amended .... 07-MAY-19

Yeas 23  
Nays 7  
Abstaining 1

Patrick Harris,  
Secretary.