

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

1 SB128

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4 ENROLLED, An Act,

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

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

19 §17-9-50.1.

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

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

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

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

6           (c) This section does not prohibit a voter from  
7 making available a photograph of the voter's own ballot by  
8 posting the photograph on the Internet or in some other  
9 electronic medium, and any retransmittal of the photograph  
10 does not constitute a violation of this section.

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

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

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB128

Senate 07-MAY-19

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,  
Secretary.

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House of Representatives  
Passed: 23-MAY-19

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By: Senator Elliott