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3 CONFERENCE COMMITTEE SUBSTITUTE FOR HB116
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8 SYNOPSIS: This bill would authorize the Secretary of
9 State to conduct a one-time post-election audit
10 after the November 8, 2022, general election to
11 determine the accuracy of the originally reported
12 outcome of the election.
13

14 A BILL
15 TO BE ENTITLED
16 AN ACT
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18 Relating to elections; to authorize the Secretary of
19 State to conduct a one-time post-election audit after the
20 November 8, 2022, general election to determine the accuracy
21 of the originally reported outcome of the election.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. (a) This act shall be known and may be
24 cited as the Alabama Voter Confidence Act.

25 (b) Notwithstanding any other law to the contrary,
26 the Secretary of State may conduct a limited post-election

1 audit of the November 8, 2022, statewide general election, as
2 provided in this subsection.

3 (1) The post-election audit shall be conducted no
4 earlier than November 30, 2022, and no later than January 31,
5 2023.

6 (2) Upon receiving from the county commission and
7 judge of probate a request of a county to be added to a list
8 of applicants, the Secretary of State may select up to three
9 applicants to participate in the audit. To the extent
10 possible, the three counties selected shall reflect the
11 gender, race, and geographical areas of the state. The audit
12 shall be conducted upon only one voting location in the county
13 on only one statewide office selected by the Secretary of
14 State and on one county office in each of the three selected
15 counties.

16 (3) In the three selected counties, the Secretary of
17 State shall consult with the respective judge of probate and
18 sheriff to select the day to conduct the audit and the county
19 office to be audited.

20 (4) To begin the audit process, the Secretary of
21 State shall file a petition with the presiding circuit judge
22 for the county stating the specific reason for the petition
23 and include the specific voting location and races to be
24 audited, and shall request a protective order in addition to
25 the relief requested. If the circuit judge grants the
26 petition, the judge shall deliver a written order to the
27 respective judge of probate and sheriff granting them

1 authority to open the appropriate ballot boxes and provide any
2 other necessary election materials in order for the audit to
3 be conducted. The order shall include the name of the voting
4 location and the names of the statewide office and the county
5 office to be audited. If the circuit judge does not grant the
6 petition, the audit shall be considered concluded.

7 (5) Poll workers shall be appointed to conduct the
8 post-election audit, and appointments shall be made in the
9 same manner as for any other election activity.

10 (c) All expenses incurred by any county pursuant to
11 this section shall be reimbursed from federal funds made
12 available for use by the Secretary of State. If no federal
13 funds are available, the Secretary of State shall be
14 responsible for all costs associated with the audit.

15 (d) The judge of probate shall make all results from
16 the post-election audit public by posting the results on the
17 courthouse door at the conclusion of the audit and posting the
18 results on the official website of the Secretary of State.

19 (e) The Secretary of State shall report all findings
20 of the post-election audit to the Governor and the Legislature
21 within 30 days of completion of the audit.

22 Section 2. This act shall become effective
23 immediately following its passage and approval by the
24 Governor, or its otherwise becoming law.