

1 HB285  
2 208822-1  
3 By Representative Allen  
4 RFD: Constitution, Campaigns and Elections  
5 First Read: 02-FEB-21

SYNOPSIS: Under existing law, county governing bodies provide for installation of electronic voting machines at designated voting places throughout each election precinct.

This bill would prohibit the operation of any voting machine except on the inside of an enclosed building designated as a voting place.

This bill would further prohibit an election official or poll worker from taking any ballot into or out of a voting place, except in the performance of as part of established election procedures for transporting ballots.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to elections; to amend Section 17-6-4, Code of Alabama 1975, providing for voting places; to prohibit

1 curbside voting of voting machines outside of enclosed  
2 buildings designated as voting places.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 17-6-4, Code of Alabama 1975, is  
5 amended to read as follows:

6 "§17-6-4.

7 "(a) Except as may be provided further by local  
8 election laws or by the electronic vote counting statutes, the  
9 county governing bodies shall designate the places of holding  
10 elections in the precincts established hereunder, and,  
11 whenever the county has alphabetically divided the list of  
12 registered qualified voters of a precinct into groups, it  
13 shall designate not only the voting place but also the number  
14 of electronic voting machines at each voting place in the  
15 precinct, being sure that it designates an electronic voting  
16 machine for each group of qualified voters. The county  
17 governing body ~~is specifically authorized to~~ may provide for  
18 installing as many electronic voting machines as are needed in  
19 each precinct, and the electronic voting machines may be  
20 installed at one designated voting place or there may be more  
21 than one voting place designated and such number of electronic  
22 voting machines installed at each place as needed to provide  
23 for the voters authorized to vote at each place. No electronic  
24 voting machine, or voting machine of any kind, shall be  
25 installed or operated except as designated for installation  
26 and operation during an election within the interior of an  
27 enclosed building designated as a voting place, pursuant to

1 this section. No election officer or poll worker shall take a  
2 ballot into or out of any voting place, except in the  
3 performance of his or her authorized or official duties that  
4 include only the pre-election and post-election transporting  
5 of ballots to and from voting places as part of established  
6 election procedures. The county governing body shall file with  
7 the judge of probate of the county and with the board of  
8 registrars, along with a copy of its order fixing the  
9 boundaries of a precinct, the names of voting places  
10 ~~designated for voting,~~ indicating in those precincts in which  
11 the voters have been alphabetically divided into groups and  
12 the voting places and electronic voting machines at which each  
13 alphabetical group shall vote, and shall ~~also~~ post the list of  
14 voting places at the county courthouse.

15 "(b) The judge of probate, within five days after  
16 the county governing body of any county files with him or her  
17 the boundaries of the election precincts and the names of the  
18 voting places therein, shall give notice of the same by  
19 ~~publishing the same in some~~ publication in a newspaper of  
20 general circulation published in the county and shall have the  
21 same posted by the sheriff at the courthouse and at two public  
22 places in the election district of the precinct. The notice  
23 shall describe the election precincts by their numbers and  
24 shall specify the place therein where elections are to be  
25 held.

26 "(c) Where election precincts have been subdivided  
27 into voting districts ~~hereunder,~~ no voter in any election held

1 thereafter shall vote at any place other than the voting  
2 district in which the voter at the time is registered as a  
3 qualified elector. Notwithstanding the foregoing, any county,  
4 by local law, may establish voting centers by combining voters  
5 from two or more precincts in order to create a voting center  
6 in order to facilitate, or reduce costs, for elections.

7 "(d) Except as ~~may be~~ provided further by local  
8 election laws or by the electronic vote counting ~~statutes~~  
9 laws, whenever ~~places of voting~~ places are once designated and  
10 established as required by this ~~chapter~~ section, the voting  
11 places for precincts shall not be changed within three months  
12 before an election is to be held. When the boundaries of  
13 election precincts are changed, the county governing body  
14 shall forthwith designate and establish at least one voting  
15 place for every 2,400 voters in each election precinct so  
16 created. ~~Places of voting~~ Voting places shall be the same for  
17 all elections, whether primary, general, or special, or  
18 federal, state, district, or county.

19 "(e) The courthouse is the voting place ~~of holding~~  
20 ~~elections~~ in the precinct in which it is situated unless  
21 another place for that purpose is designated by the county  
22 governing body. Elections must be held at ~~such~~ places in the  
23 other precincts as may be designated ~~hereafter~~ by the county  
24 governing body."

25 Section 2. This act shall become effective  
26 immediately following its passage and approval by the  
27 Governor, or its otherwise becoming law.

