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3 HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR HB193  
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8 SYNOPSIS: Under existing law, it is unlawful for a  
9 person to pay, or for any elector to accept  
10 payment, either to vote or withhold his or her  
11 vote.

12 This bill would prohibit any person from  
13 knowingly paying or offering to pay an individual  
14 to obtain, deliver, or assist in completing another  
15 voter's absentee ballot application or absentee  
16 ballot.

17 This bill would prohibit a person from  
18 knowingly accepting payment from another person for  
19 obtaining, delivering, or assisting in completing  
20 another voter's absentee ballot application or  
21 absentee ballot.

22 This bill would also prohibit a person from  
23 assisting a voter in completing the voter's  
24 absentee ballot application or absentee ballot  
25 without the voter's consent.

26 Amendment 621 of the Constitution of Alabama  
27 of 1901, as amended by Amendment 890, now appearing

1 as Section 111.05 of the Official ReCompilation of  
2 the Constitution of Alabama 1901, as amended,  
3 prohibits a general law whose purpose or effect  
4 would be to require a new or increased expenditure  
5 of local funds from becoming effective with regard  
6 to a local governmental entity without enactment by  
7 a 2/3 vote unless: it comes within a number of  
8 specified exceptions; it is approved by the  
9 affected entity; or the Legislature appropriates  
10 funds, or provides a local source of revenue, to  
11 the entity for the purpose.

12 The purpose or effect of this bill would be  
13 to require a new or increased expenditure of local  
14 funds within the meaning of the amendment. However,  
15 the bill does not require approval of a local  
16 governmental entity or enactment by a 2/3 vote to  
17 become effective because it comes within one of the  
18 specified exceptions contained in the amendment.

19  
20 A BILL  
21 TO BE ENTITLED  
22 AN ACT  
23

24 Relating to elections; to prohibit a person from  
25 knowingly paying or offering to pay an individual to obtain,  
26 deliver, or assist in completing another voter's absentee  
27 ballot application or absentee ballot; to prohibit a person

1 from knowingly accepting payment from a person to obtain,  
2 deliver, or assist in completing another voter's absentee  
3 ballot application or absentee ballot; to prohibit a person  
4 from assisting a voter in completing the voter's absentee  
5 ballot application or absentee ballot without the voter's  
6 consent; and in connection therewith would have as its purpose  
7 or effect the requirement of a new or increased expenditure of  
8 local funds within the meaning of Amendment 621 of the  
9 Constitution of Alabama of 1901, as amended by Amendment 890,  
10 now appearing as Section 111.05 of the Official Recompilation  
11 of the Constitution of Alabama of 1901, as amended.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. (a) It shall be unlawful for any person  
14 to knowingly pay or knowingly offer to pay an individual to  
15 assist in completing, obtaining, or delivering another voter's  
16 absentee ballot application or absentee ballot.

17 (b) It shall be unlawful for any person to knowingly  
18 accept payment from another person for assisting in  
19 completing, obtaining, or delivering another voter's absentee  
20 ballot application or absentee ballot.

21 (c) Any individual who violates this section shall  
22 be guilty of a Class D felony.

23 Section 2. (a) It shall be unlawful for any person  
24 to assist a voter in completing, obtaining, or delivering the  
25 voter's absentee ballot application or absentee ballot without  
26 the voter's consent.

27 (b) A violation of this section is a Class D felony.

1                   Section 3. Although this bill would have as its  
2                   purpose or effect the requirement of a new or increased  
3                   expenditure of local funds, the bill is excluded from further  
4                   requirements and application under Amendment 621, as amended  
5                   by Amendment 890, now appearing as Section 111.05 of the  
6                   Official Recompilation of the Constitution of Alabama of 1901,  
7                   as amended, because the bill defines a new crime or amends the  
8                   definition of an existing crime.

9                   Section 4. This act shall become effective on the  
10                  first day of the third month following its passage and  
11                  approval by the Governor, or its otherwise becoming law.