

1 HB74
2 215514-1
3 By Representative Baker
4 RFD: Constitution, Campaigns and Elections
5 First Read: 11-JAN-22
6 PFD: 01/10/2022

SYNOPSIS: This bill would prohibit public officials and public employees from soliciting, receiving, accepting, or expending private funds to administer an election except in certain circumstances.

A BILL
TO BE ENTITLED
AN ACT

Relating to elections; to prohibit the solicitation, receipt, or use of private funding to administer an election except in certain circumstances.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this section, the following terms have the following meanings:

(1) PUBLIC EMPLOYEE. The same meaning as in Section 36-25-1, Code of Alabama 1975.

(2) PUBLIC OFFICIAL. The same meaning as in Section 36-25-1, Code of Alabama 1975.

1 (b) Notwithstanding any other provision of law, and
2 except as provided in subsection (c), a public official or
3 public employee may not solicit, receive, accept, or expend
4 gifts, donations, in-kind contributions, or funding to
5 administer any election from a private individual,
6 corporation, partnership, trust, or third party, whether or
7 not operating for profit, which are not provided through
8 ordinary annual, emergency, or supplemental federal, state,
9 county, or municipal appropriations, budgets, or grants.

10 (c) A public official or public employee may
11 solicit, receive, accept, or expend a gift, donation, in-kind
12 contribution, or funding as contemplated in subsection (b) if
13 the gift, donation, in-kind contribution, or funding is either
14 of the following:

15 (1) Approved by joint resolution if the Legislature
16 is in session.

17 (2) Approved by the Governor, State Comptroller,
18 Secretary of State, President Pro Tempore of the Senate, and
19 Speaker of the House of Representatives if the Legislature is
20 not in session.

21 Section 2. This act shall become effective on the
22 first day of the third month following its passage and
23 approval by the Governor, or its otherwise becoming law.