

HB435 ENROLLED



1 ODYZJJ-2
2 By Representative Lomax
3 RFD: Ways and Means General Fund
4 First Read: 04-May-23
5 2023 Regular Session



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1 Enrolled, An Act,

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4 Relating to elections; to amend Section 17-8-12, Code
5 of Alabama 1975, to increase the supplemental compensation
6 paid to election inspectors and clerks; and in connection
7 therewith would have as its purpose or effect the requirement
8 of a new or increased expenditure of local funds within the
9 meaning of Section 111.05 of the Constitution of Alabama of
10 2022.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Section 17-8-12, Code of Alabama 1975, is
13 amended to read as follows:

14 "§17-8-12

15 (a) The inspector and clerks shall each be entitled to
16 base compensation of fifty dollars (\$50). The compensation of
17 the election officials shall be paid as preferred claims, out
18 of monies in the county treasury not appropriated, on proper
19 proof of service rendered. In all counties in which the
20 compensation of precinct election officials is prescribed by
21 local law or general law of local application at an amount in
22 excess of the amount prescribed, the compensation of the
23 precinct election officials shall not be decreased under this
24 section and the county commission may increase the
25 compensation so prescribed. In those counties in which
26 compensation of precinct election officials is set at an
27 amount in excess of five dollars (\$5) per day, but less than
28 fifty dollars (\$50) per day, the provision of the local law or



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29 general law of local application relative thereto is
30 superseded and the compensation prescribed herein shall be the
31 total compensation of precinct election officials in the
32 counties.

33 (b) In addition to the compensation provided in
34 subsection (a), each clerk shall be entitled to supplemental
35 compensation paid by the state to ensure that the total
36 compensation paid to each shall be in an amount of at least
37 ~~seventy-five dollars (\$75)~~ one hundred twenty-five dollars
38 (\$125) per day, and each inspector shall be entitled to
39 supplemental compensation paid by the state in an amount that
40 ensures that the total compensation of an inspector is at
41 least one hundred fifty dollars ~~(\$100)~~ (\$150) per day. Upon
42 completion of a local election school or being certified as a
43 qualified precinct election official by the judge of probate,
44 or both, each clerk and inspector shall be entitled to receive
45 an additional twenty-five dollars (\$25) per day in
46 compensation from the state. The increase provided for in this
47 subsection shall not increase or decrease any salary
48 supplement paid under a local law which is in effect on
49 ~~October 1, 2005~~ October 1, 2022. This subsection shall only
50 apply to those statewide elections for which county expenses
51 are reimbursed by the state as defined in Chapter 16. This
52 subsection shall not apply to special county or other
53 elections held at any time other than at the time of holding
54 statewide elections."

55 Section 2. The purpose or effect of this bill would be
56 to require a new or increased expenditure of local funds



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57 within the meaning of Section 111.05 of the Constitution of
58 Alabama of 2022. If this bill is not enacted by a 2/3 vote, it
59 will not become effective with regard to a local entity unless
60 approved by the local entity or until, and only as long as,
61 the Legislature appropriates funds or provides for a local
62 source of revenue.

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



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 23-May-23.

John Treadwell
Clerk

Senate 06-Jun-23

Passed