

# HB54 INTRODUCED



1 6UEPZZ-1  
2 By Representative Mooney  
3 RFD: State Government  
4 First Read: 07-Mar-23  
5 PFD: 06-Mar-23



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SYNOPSIS:

Under existing state law, there is no prohibition against the use of electronic vote counting systems that are capable of connecting to the Internet or cell phone networks or that possess modem technology.

This bill would prohibit the use of electronic vote counting systems that are capable of connecting to the Internet or cell phone networks or that possess modem technology.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to electronic vote counting systems; to amend Section 17-7-21, Code of Alabama 1975, to prohibit the use of electronic vote counting systems that are capable of connection to the Internet or cell phone networks or that possess modem technology.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-7-21, Code of Alabama 1975, is amended to read as follows:

"§17-7-21



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29           (a) The governing body of any county or municipality or  
30 other political subdivision of the state by adoption of an  
31 appropriate resolution, may authorize, adopt, and direct the  
32 use of electronic vote counting systems for use in all  
33 elections held in such county or municipality or other  
34 political subdivision or any portion thereof; and such  
35 resolution, a copy of which shall be filed with the Secretary  
36 of State, shall specify the particular type of equipment to be  
37 used and a procedure for implementation.

38           (b) Notwithstanding subsection (a), no electronic vote  
39 counting system shall be used unless it has been constructed  
40 so that it:

41           (1) Permits and requires voting in secrecy.

42           (2) Permits each elector to vote at any election for  
43 all persons and offices for whom and for which he or she is  
44 lawfully entitled to vote; to vote for as many persons for an  
45 office as he or she is entitled to vote for; and to vote for  
46 or against any question upon which he or she is entitled to  
47 vote.

48           (3) Permits the voter at other than primary elections  
49 to vote a straight political party ticket in one operation.

50           (4) Permits such automatic tabulating equipment to be  
51 set to reject all votes for any office or question when the  
52 number of votes therefor exceeds the number which the voter is  
53 entitled to cast or when the voter is not entitled to cast a  
54 vote for the office or question.

55           (5) Is capable of correctly counting votes.

56           (6) When used in primary elections, counts only votes



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57 for the candidates of one party, rejects all votes for an  
58 office when the number of votes therefor exceeds the number  
59 which the voter is entitled to cast, and rejects all votes of  
60 a voter cast for candidates of more than one party.

61 (7) At presidential elections, permits each elector, by  
62 one operation, to vote for all presidential electors of a  
63 party or independent candidates for president or vice  
64 president.

65 (8) Provides a method for write-in voting.

66 (9) Is capable of accumulating a count of the specific  
67 number of ballots tallied for a precinct; accumulating total  
68 votes by candidate for each office; and accumulating total  
69 votes for and against each question for such precinct.

70 (10) Is capable of tallying votes from ballots of  
71 different political parties from the same precinct, in the  
72 case of a primary election.

73 (11) Is capable of automatically producing precinct  
74 vote totals in printed, marked, or punched form, or a  
75 combination thereof.

76 (12) Is capable of accurately and correctly tabulating  
77 each vote and having the same so certified.

78 (13) Is not capable of connecting to the Internet or  
79 cell phone networks and does not possess modem technology."

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