

SB10 ENROLLED



1 ZQUSKR-2
2 By Senator Chambliss
3 RFD: State Governmental Affairs
4 First Read: 07-Mar-23
5 PFD: 08-Feb-23
6 2023 Regular Session



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1 Enrolled, An Act,

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

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

11 "§17-7-21

12 (a) The governing body of any county or municipality or
13 other political subdivision of the state by adoption of an
14 appropriate resolution, may authorize, adopt, and direct the
15 use of electronic vote counting systems for use in all
16 elections held in such county or municipality or other
17 political subdivision or any portion thereof; and such
18 resolution, a copy of which shall be filed with the Secretary
19 of State, shall specify the particular type of equipment to be
20 used and a procedure for implementation.

21 (b) Notwithstanding subsection (a), no electronic vote
22 counting system shall be used unless it has been constructed
23 so that it:

24 (1) Permits and requires voting in secrecy.

25 (2) Permits each elector to vote at any election for
26 all persons and offices for whom and for which he or she is
27 lawfully entitled to vote; to vote for as many persons for an
28 office as he or she is entitled to vote for; and to vote for



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29 or against any question upon which he or she is entitled to
30 vote.

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

33 (4) Permits such automatic tabulating equipment to be
34 set to reject all votes for any office or question when the
35 number of votes therefor exceeds the number which the voter is
36 entitled to cast or when the voter is not entitled to cast a
37 vote for the office or question.

38 (5) Is capable of correctly counting votes.

39 (6) When used in primary elections, counts only votes
40 for the candidates of one party, rejects all votes for an
41 office when the number of votes therefor exceeds the number
42 which the voter is entitled to cast, and rejects all votes of
43 a voter cast for candidates of more than one party.

44 (7) At presidential elections, permits each elector, by
45 one operation, to vote for all presidential electors of a
46 party or independent candidates for president or vice
47 president.

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

49 (9) Is capable of accumulating a count of the specific
50 number of ballots tallied for a precinct; accumulating total
51 votes by candidate for each office; and accumulating total
52 votes for and against each question for such precinct.

53 (10) Is capable of tallying votes from ballots of
54 different political parties from the same precinct, in the
55 case of a primary election.

56 (11) Is capable of automatically producing precinct



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57 vote totals in printed, marked, or punched form, or a
58 combination thereof.

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

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

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



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB10

Senate 04-Apr-23

I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris,
Secretary.

House of Representatives

Passed: 02-May-23

By: Senator Chambliss