SB324

WCJZ5E9-2

By Senators Coleman, Figures, Singleton, Smitherman, Coleman-Madison, Hatcher, Stewart, Beasley

RFD: Judiciary

First Read: 11-Apr-24
Enrolled, An Act,

Relating to elections; to amend Sections 17-6-21, 17-9-3, 17-13-22, and 17-14-31, Code of Alabama 1975; to revise deadlines to qualify for a general election to accommodate national political party conventions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 17-6-21, 17-9-3, 17-13-22, and 17-14-31, Code of Alabama 1975, are amended to read as follows:

"§17-6-21
(a) The official ballots shall contain the names of all candidates nominated by caucus, convention, mass meeting, primary election, or other assembly of any political party or faction, or by petition of electors and certified as provided in Section 17-9-3, but no person's name shall be printed upon the ballots who, within the time period set forth in subsection (c), notifies the judge of probate in writing, acknowledged before an officer authorized by law to take acknowledgments, that he or she will not accept the nomination specified in the certificate of nomination or petition of electors. The name of each candidate shall appear but one time on the ballot and under only one emblem.

(b) A nomination for a candidate in a primary or general election shall be finalized by the respective state executive committees not later than 71 days before the primary or general election. Any amendment to a certification
of a candidate by a state executive committee shall be filed
with the judge of probate in the case of a county office, or
the Secretary of State in the case of a state or federal
office. Any amendment filed after the 76th day before a
primary or a general election shall be accepted by the judge
of probate or the Secretary of State but shall not be cause
for reprinting of the ballots. The name of a candidate who is
the subject of the amendment and who is disqualified by a
political party or who has withdrawn as a candidate shall
remain on the ballot, not be replaced by the name of another
candidate, and the appropriate canvassing board shall not
certify any votes for the candidate. Any amendment to a
certification to correct the spelling of the name of a
candidate that is filed after the 76th day before a
primary or general election, or after the printing of absentee
ballots for a primary runoff election has commenced, shall not
be cause for reprinting of the ballots and shall not affect
the counting or certification of any votes cast for the
candidate.

(c) The notification deadline for persons who do not
wish to accept nomination in a primary election is 76 days
before the date of the election. A person who does not wish to
accept nomination in a second primary election shall submit
the notification set forth in subsection (a) before the
printing of absentee ballots. The notification deadline for
persons who do not wish to accept nomination in a general
election is 76 days before the date of the election. In the
event that a candidate submits a notification of withdrawal
after the applicable deadline, the name of the candidate shall
remain on the ballot and the appropriate canvassing board may
not certify any votes for the candidate."

"§17-9-3
(a) The following persons shall be entitled to have
their names printed on the appropriate ballot for the general
election, provided they are otherwise qualified for the office
they seek:

(1) All candidates who have been put in nomination by
primary election and certified in writing by the chair and
secretary of the canvassing board of the party holding the
primary and filed with the judge of probate of the county, in
the case of a candidate for county office, and the Secretary
of State in all other cases, on the day next following the
last day for contesting the primary election for that office
if no contest is filed. If a contest is filed, then the
certificate for the contested office must be filed on the day
next following the date of settlement or decision of the
contest.

(2) All candidates who have been put in nomination by
any caucus, convention, mass meeting, or other assembly of any
political party or faction and certified in writing by the
chair and secretary of the nominating caucus, convention, mass
meeting, or assembly and filed with the judge of probate, in
the case of a candidate for county office, and the Secretary
of State in all other cases, on or before 5:00 p.m. on the
date of the first primary election as provided for in Section
17-13-3.
(3) Each candidate who has been requested to be an independent candidate for a specified office by written petition signed by electors qualified to vote in the election to fill the office when the petition has been filed with the judge of probate, in the case of a county office and with the Secretary of State in all other cases, on or before 5:00 p.m. on the date of the first primary election as provided for in Section 17-13-3. The number of qualified electors signing the petition shall equal or exceed three percent of the qualified electors who cast ballots for the Office of Governor in the last general election for the state, county, district, or other political subdivision in which the candidate seeks to qualify.

(b) The Secretary of State, not later than 74 days before the general election, shall certify to the judge of probate of each county in the state, in the case of an officer to be voted for by the electors of the whole state, and to the judges of probate of the counties composing the circuit or district in the case of an officer to be voted for by the electors of a circuit or district, upon suitable blanks to be prepared by him or her for that purpose, the fact of nomination or independent candidacy of each nominee or independent candidate or candidate of a party who did not receive more than 20 percent of the entire vote cast in the last general election preceding the primary who has qualified to appear on the general election ballot. The judge of probate shall then prepare the ballot with the names of each candidate qualified under the provisions of this section printed on the
ballot. The judge of probate may not print on the ballot the
name of any independent candidate who was a candidate in the
primary election of that year and the name of any nominee of a
political party who was a candidate for the nomination of a
different political party in the primary election of that
year."

"§17-13-22
The Secretary of State shall, not later than 7469 days
before the general election, certify to the judge of probate
of each county in the state a separate list of nominees of
each party for office and for each candidate who has requested
to be an independent candidate and has filed a written
petition in accordance with Section 17-9-3, except nominees
for county offices, to be voted for by the voters of such
county."

"§17-14-31
(a) When presidential electors are to be chosen, the
Secretary of State of Alabama shall certify to the judges of
probate of the several counties the names of all candidates
for President and Vice President who are nominated by any
national convention or other like assembly of any political
party or by written petition signed by at least 5,000
qualified voters of this state.

(b) The certificate of nomination by a political party
convention must be signed by the presiding officer and
secretary of the convention and by the chair of the state
executive or central committee of the political party making
the nomination. Any nominating petition, to be valid, must
contain the signatures as well as the addresses of the
petitioners. Such certificates and petitions must be filed in
the office of the Secretary of State no later than the 82nd day next preceding the day fixed for 74 days before the
date of the election.

(c) Each certificate of nomination and nominating petition must be accompanied by a list of the names and
addresses of persons, who shall be qualified voters of this state, equal in number to the number of presidential electors
to be chosen. Each person so listed shall execute the following statement which shall be attached to the certificate
or petition when the same is filed with the Secretary of State: "I do hereby consent and do hereby agree to serve as
elector for President and Vice President of the United States, if elected to that position, and do hereby agree that, if so
elected, I shall cast my ballot as such elector for _____ for President and _____ for Vice President of the United States"
(inserting in the blank spaces the respective names of the persons named as nominees for the respective offices in the
certificate to which this statement is attached)."

Section 2. This act shall become effective immediately.
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President and Presiding Officer of the Senate

Speaker of the House of Representatives

Patrick Harris,
Secretary.

House of Representatives
Passed: 02-May-24

By: Senator Coleman