

HB258 INTRODUCED



1 HB258
2 9Y7EPBB-1
3 By Representative Carns
4 RFD: Constitution, Campaigns and Elections
5 First Read: 11-Feb-25



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SYNOPSIS:

Under existing law, the primary in off-presidential years is held on the fourth Tuesday in May.

This bill would change the primary in off-presidential years from the fourth to the second Tuesday in May.

A BILL
TO BE ENTITLED
AN ACT

Relating to elections; to amend Section 17-13-3, Code of Alabama 1975, to change the primary election in off-presidential years to the second Tuesday in May.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-13-3, Code of Alabama 1975, is amended to read as follows:

"§17-13-3

(a) Except as otherwise provided in subsections (b) and (d), primary elections held at the expense of the state or counties shall be held on the ~~fourth~~second Tuesday in May. When necessary, as provided in this chapter, a second or



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29 runoff primary election shall be held on the fourth Tuesday
30 following the primary election. Any second primary shall be
31 held by the same election officers who held the first primary
32 election, and be held at the same places as the first primary
33 election. No primary election shall be held by any political
34 party except as provided in this subsection. Primary elections
35 shall be held at the regular polling places established for
36 the purpose of holding general elections.

37 (b) In years in which a presidential primary is
38 conducted, the primary election shall be the first Tuesday in
39 March.

40 (c) Notwithstanding any other provision of law, in any
41 year in which the primary election is held in March and the
42 primary election is held in conjunction with the presidential
43 preference primary election, as provided in this section and
44 Section 17-13-100, any reference in any existing statutes to a
45 primary election being held in June or May shall be construed
46 to refer to the primary election in March.

47 (d) Special primary elections, held at the expense of
48 the state or counties, shall be held following the issuance of
49 a proclamation by the Governor or as otherwise provided by
50 law. When necessary, as provided in this chapter, a second or
51 runoff special primary election shall be held on the fourth
52 Tuesday following the special primary election. Any second
53 special primary election shall be held by the same election
54 officers who held the first special primary election, and be
55 held at the same places as the first special primary election.
56 No special primary election shall be held by any political



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57 party, except as provided in this subsection. Special primary
58 elections shall be held at the regular polling places
59 established for the purpose of holding general elections."

60 Section 2. This act shall become effective on October
61 1, 2025.