HB30 ENGROSSED



- 1 HB30
- 2 5VVF566-2
- 3 By Representative Wood (D)
- 4 RFD: Ways and Means General Fund
- 5 First Read: 04-Feb-25
- 6 PFD: 19-Aug-24



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5	A BILL
6	TO BE ENTITLED
7	AN ACT
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9	Relating to elections; to require the judge of probate
10	of each county to conduct a post-election audit after every
11	county and statewide general election to determine the
12	accuracy of the originally reported results of the election.
13	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
14	Section 1. (a) This section shall be known and may be
15	cited as the Alabama Post-Election Audit Act.
16	(b)(1) Notwithstanding any other law to the contrary,
17	the judge of probate of each county shall order a
18	post-election audit after every county and statewide general
19	election of all ballots in one precinct of a countywide or
20	statewide race, selected by the canvassing board of each
21	county as further provided in subdivision (2), which appeared
22	on the ballot and which is not subject to a recount. Nothing
23	in this section shall prohibit the judge of probate from
24	ordering the audit of additional precincts and races. The
25	order shall include the name of the precincts and the races to
26	be audited. The order shall authorize the sheriff or other

county authority to provide access to the ballot containers

along with any other necessary election materials, including

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29 electronic data.

- (2) The canvassing board of each county shall randomly select at noon on the second Friday after any county and statewide general election one precinct, excluding absentee and provisional ballots, and either one statewide or countywide race to be audited by the judge of probate.
- (3) The judge of probate, at noon on the second Friday after any county and statewide general election, shall select the date, time, and place of meeting to conduct the post-election audit and shall appoint an inspector and the appropriate number of other poll workers required to complete the audit in the same manner as for any other election. The notification and publication of these appointments shall be in the same manner as provided in Section 17-8-2, Code of Alabama 1975. Compensation for poll workers shall be the same as provided in Section 17-8-12, Code of Alabama 1975.
- (4) To begin the audit process, the voted ballot containers subject to the audit shall be delivered, unopened and still sealed in the original containers, to the inspectors in charge of the audit by the custodian of the ballot containers along with any other necessary election materials, including electronic data.
- (5) The post-election audit shall be conducted and completed by the time election returns required to be sent to the Secretary of State must be certified.
- (6) At the conclusion of the audit, the ballots shall be returned to their original containers and sealed. All other documents and materials related to the audit, including, but



57 not limited to, inspector and poll worker oaths, poll watcher 58 oaths, seals and testing materials for any tabulator used in 59 the audit, and copies of orders of the probate court related 60 to the audit shall be placed in a separate container labeled "Record of Audit." The inspector and other poll workers shall 61 62 sign the containers and return them to the appropriate 63 authority for storage with other records related to the 64 audited election. The judge of probate shall report the 65 findings to the Secretary of State who shall make all results from the post-election audit public by posting the results on 66

- 68 (7) The post-election audit report shall include all of the following:
- 70 a. A description of any problems or discrepancies 71 encountered.

the official website of the Secretary of State.

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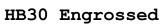
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- b. A description of the likely cause of any problems ordiscrepancies encountered.
- 74 c. Recommendations for corrective or remedial actions.
- 75 (8) The Secretary of State shall report all findings of 76 the post-election audit to the Governor and the Legislature 77 within 30 days of receipt of the audits.
 - (9) Poll watchers shall attend and observe the post-election audit in the same manner as for any other election, and appointments shall be made in the same manner as any general election. The judge of probate shall give notice to the public of the date, time, and location of the audit by publication in a newspaper of general circulation in the county or on the county's official website. Accredited members



- of the media shall be permitted to be present and observe the audit being performed.
- (10) The judge of probate may conduct the post-election audit by manual tally or by use of ballot counters, provided that at least 30 randomly selected ballots are individually, manually examined and compared to the ballot counter result for each selected ballot.
- 92 (c) All expenses incurred by any county as a result of 93 the audit shall be reimbursed in full by the Comptroller.
- 94 (d) The Secretary of State may adopt rules and 95 prescribe forms to implement this section.
- 96 Section 2. This act shall become effective immediately.





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House of Representatives

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100	Read for the first time and referred04-Feb-25
101	to the House of Representatives
102	committee on Ways and Means General
103	Fund
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105	Read for the second time and placed05-Mar-25
106	on the calendar:
107	1 amendment
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109	Read for the third time and passed18-Mar-25
110	as amended
111	Yeas 63
112	Nays 30
113	Abstains 7
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116	John Treadwell
117	Clerk
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