

HB479 ENGROSSED



1 HB479
2 XDS1FEE-2
3 By Representatives Brinyark, Woods, Lomax, Stubbs
4 RFD: Constitution, Campaigns and Elections
5 First Read: 01-Apr-25



HB479 Engrossed

A BILL
TO BE ENTITLED
AN ACT

Relating to voters and voting; to amend Sections 17-4-30, 17-4-38.1, and 17-4-39, Code of Alabama 1975, to remove the Electronic Registration Information Center as a voter registration database that the board of registrars or the Secretary of State may use to identify voters whose addresses may have changed; and to require the Secretary of State to conduct a voter registration list maintenance program through the Alabama Voter Integrity Database.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-4-30, Code of Alabama 1975, is amended to read as follows:

"§17-4-30

(a) Beginning in February 2025, and in February of every fourth year thereafter, the board of registrars, or the Secretary of State, if acting as the board's agent pursuant to subsection (h), shall use change-of-address information supplied by the United States Postal Service through the National Change of Address database and by at least one other ~~voter registration database, including, but not limited to,~~ ~~the Electronic Registration Information Center or NVR~~National



Voter Registration Act designated agency database, to identify registered voters whose addresses may have changed.

(b) (1) If the board of registrars or Secretary of State determines from the change-of-address information that a registered voter has moved to a different residence address that is under the jurisdiction of the same board of registrars, the board of registrars shall change the registration records of that voter to show the new address, and the board of registrars or Secretary of State, within 90 days after identifying the potential change, shall send the voter a notice of the change by forwardable mail along with a postage prepaid, pre-addressed return card on which the registered voter may correct his or her current address information. The notice shall inform the voter that if the voter did not change his or her residence, he or she is required to return the pre-addressed card no later than the last day to register to vote before an election.

(2) If the board of registrars or Secretary of State determines from the change-of-address information that a registered voter has moved to a different residence address that is under the jurisdiction of a different board of registrars or to a residence address outside of the state, the board of registrars or Secretary of State, within 90 days after identifying the potential change, shall send the voter a notice of the change by forwardable mail along with a postage prepaid, pre-addressed return card on which the registered voter may verify or correct his or her current address information. The notice shall include both of the following:



57 a. A statement informing the voter that if the
58 pre-addressed card is not returned within the time specified
59 in the notice, the voter will be permitted to vote in that
60 same jurisdiction during the period from the date the notice
61 was mailed and ending on the day after the date of the second
62 general election for federal office, provided the voter
63 completes a voter registration update form. If the voter does
64 not update his or her voter registration record or vote during
65 the period ending on the day after the date of the second
66 general election for federal office, the voter's name shall be
67 removed from the list of eligible voters.

68 b. Information concerning how the voter may continue
69 his or her eligibility to vote in another jurisdiction if the
70 voter has changed his or her residence to an address outside
71 of the jurisdiction of the board of registrars under which he
72 or she is then registered.

73 (c) The board of registrars or Secretary of State shall
74 record and maintain in the statewide voter registration
75 database the dates on which the notice is mailed to a
76 registered voter and the card is subsequently returned to the
77 board by the registered voter.

78 (d) The board of registrars shall update the statewide
79 voter registration database using the information reported to
80 the board by the registered voters on the prepaid,
81 pre-addressed return cards provided for in this section.

82 (e) If the registered voter does not respond to the
83 notice provided in this section within 90 days of the date on
84 which the notice was mailed or if the notice is returned to



HB479 Engrossed

the board of registrars as undeliverable, the board of registrars or its agent shall change the status of the voter to inactive and indicate in the statewide voter registration database the date the change is recorded and that the voter did not respond to the mailing or that the mailing was returned as undeliverable, in a manner provided by rule by the Secretary of State.

(f) The names of persons to be removed from the list of registered voters pursuant to this section shall be published in accordance with Section 17-4-10.

(g) The Secretary of State may adopt rules as necessary to implement this section.

(h) The Secretary of State may act as an agent for a board of registrars, only upon receiving the written consent of the county commission, in implementing this section."

"§17-4-38.1

(a) State agencies shall provide to the Secretary of State, on a schedule to be determined by the Secretary of State, any information and data that the Secretary of State considers necessary in order to maintain the statewide voter registration database established pursuant to Section 17-4-33, except where prohibited by federal law or federal regulation. The Secretary of State shall ensure that any information or data provided to the Secretary of State that is confidential in the possession of the entity providing the data remains confidential while in the possession of the Secretary of State.

(b) (1) The Secretary of State may enter into agreements



113 to share information or data with other individual states ~~or~~
114 ~~group of states~~, as the Secretary of State considers
115 necessary, in order to maintain the statewide voter
116 registration database. Information or data that the Secretary
117 of State may share pursuant to this subsection includes, but
118 is not limited to, an electronic copy of the statewide voter
119 list and data obtained pursuant to subsection (a).

120 (2) Except as otherwise provided in this section, the
121 Secretary of State shall ensure that any information or data
122 provided to the Secretary of State that is confidential in the
123 possession of the state providing the data remains
124 confidential while in the possession of the Secretary of
125 State. The Secretary of State may provide ~~such~~ otherwise
126 confidential information or data to county boards of
127 registrars for legitimate governmental purposes related to the
128 maintenance of the statewide voter registration database.

129 (c) A county board of registrars shall contact a
130 registered elector by mail to verify the accuracy of the
131 information in the statewide voter registration database
132 regarding that elector if information provided under
133 subsection (a) or (b) identifies a residential address for the
134 elector that lies outside of the county in which the elector
135 is registered to vote, except when the information provided
136 under subsection (a) or (b) indicates that the elector
137 registered to vote in another jurisdiction, within or without
138 the State of Alabama, at a date subsequent to the date the
139 elector registered to vote in the jurisdiction of the county
140 board of registrars.

HB479 Engrossed



(d) (1) The costs associated with agreements entered into by the Secretary of State as provided for in subsection (b) may be rendered by the Secretary of State to the Department of Finance and paid from the voter registration fund.

(2) The cost of production and mailing required in subsection (c) shall be rendered by the Secretary of State to the Department of Finance and paid from the voter registration fund.

(e) The Secretary of State may ~~promulgate~~ adopt rules in accordance with the Administrative Procedure to implement this section.

"§17-4-39

(a) ~~It shall be the responsibility of the~~ The board of registrars ~~to enter~~ shall be responsible for entering and updating in a timely manner the names and information of the electors who register to vote and vote in each election into the state voter registration list and for conducting regular voter list maintenance activities as directed by the Secretary of State and otherwise provided by law, including processing registered individuals identified by programs conducted pursuant to subsection (b). Removal of any registered individual determined to be improperly registered may be accomplished at any time by a majority vote of the board.

(b) (1) The Secretary of State shall be responsible for directly conducting regular state voter registration list maintenance programs to ensure database integrity. These programs shall be known as the Alabama Voter Integrity



HB479 Engrossed

Database (AVID). The Alabama Voter Integrity Database shall compare the state voter registration list to:

a. Alabama State Law Enforcement Agency driver license and nondriver identification card data to identify registered voters in Alabama who have moved and obtained a driver license or nondriver identification card in another state or who have registered to vote in Alabama and then applied for a foreign national driver license or nondriver identification card;

b. State-to-state voter list data to identify individuals who are registered to vote in Alabama but who are also registered to vote in another state, including individuals who may have voted in the same or a similar election in both states, with priority given to data from states in close geographical proximity to Alabama;

c. The National Change of Address database to identify individuals who are registered to vote in Alabama but have notified the United States Postal Service that they have relocated to a new county within the state or an address outside of Alabama;

d. Social Security Death Index data to identify deceased individuals who are registered to vote and may have died out of state; and

e. United States Department of Homeland Security Citizenship and Immigration Services data to identify individuals who are registered to vote in Alabama but are ineligible to vote because they are noncitizens.

(2) Individuals identified shall be timely communicated by the Secretary of State to the appropriate board or boards



HB479 Engrossed

197 of registrars to process."

198 Section 2. This act shall become effective on October

199 1, 2025.



HB479 Engrossed

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House of Representatives

203 Read for the first time and referred01-Apr-25
204 to the House of Representatives
205 committee on Constitution, Campaigns
206 and Elections
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208 Read for the second time and placed09-Apr-25
209 on the calendar:
210 1 amendment
211
212 Read for the third time and passed22-Apr-25
213 as amended
214 Yeas 74
215 Nays 28
216 Abstains 0
217
218
219 John Treadwell
220 Clerk
221