

HB60 INTRODUCED



1 HB60
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SYNOPSIS:

Under existing law, individuals convicted of a crime of moral turpitude lose their voting rights and must apply to have their rights restored upon meeting certain criteria once their sentence has ended.

This bill would provide for automatic restoration of voting rights in certain circumstances.

Under existing law, an elector may only vote by absentee ballot if he or she meets certain qualifications.

This bill would eliminate the qualifications that allow for absentee voting.

This bill would further specify the process for voting by absentee ballot.

This bill would establish the Alabama Voting Rights Act and the Alabama Voting Rights Commission and would provide for its membership.

This bill would require the Alabama Voting Rights Commission to review certain actions that occur within the state that could potentially discriminate against protected classes of voters.

This bill would require the commission to preclear certain official actions relating to elections.

This bill would also require the Secretary of



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29 State to maintain a statewide database to assist in the
30 administration of elections and to publicize certain
31 information relating to voting.

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A BILL

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TO BE ENTITLED

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AN ACT

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38 Relating to elections; to amend Sections 15-22-36.1,
39 17-3-31, 17-3-50, 17-11-3, 17-11-4, as last amended by Act
40 2024-33 of the 2024 Regular Session, Section 17-11-5, 17-11-9,
41 and 17-11-10, Code of Alabama 1975; to revise the process for
42 reinstating voting rights of certain individuals; to revise
43 the absentee elections process; to authorize any elector to
44 vote absentee; to establish the Alabama Voting Rights Act and
45 the Alabama Voting Rights Act Commission; to provide for the
46 duties and membership of the commission; to require the
47 Secretary of State to maintain a statewide database relating
48 to election administration and to publicize certain election
49 information.

50 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

51 Section 1. Sections 15-22-36.1, 17-3-31, 17-3-50,
52 17-11-3, 17-11-4, as last amended by Act 2024-33 of the 2024
53 Regular Session, Sections 17-11-5, 17-11-9, and 17-11-10, are
54 amended to read as follows:

55 "§15-22-36.1

56 (a) (1) Any other provision of law notwithstanding, ~~any~~



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57 ~~person~~ an individual who has lost his or her right to vote by
58 reason of conviction of a felony in a state, federal, or
59 foreign court, except for an individual convicted of treason
60 or impeachment, regardless of the date of his or her sentence,
61 ~~may apply to the Board of Pardons and Paroles for a~~
62 ~~Certificate of Eligibility to Register to Vote~~ shall have his
63 or her right to vote restored if ~~all of the following~~
64 ~~requirements are met:~~

65 ~~(1) The person has lost his or her right to vote by~~
66 ~~reason of conviction in a state or federal court in any case~~
67 ~~except those listed in subsection (g).~~

68 ~~(2) The person has no criminal felony charges pending~~
69 ~~against him or her in any state or federal court.~~

70 ~~(3) The person has paid all fines, court costs, fees,~~
71 ~~and victim restitution ordered by the sentencing court at the~~
72 ~~time of sentencing on disqualifying cases.~~

73 ~~(4) Any of the following are true:~~

74 ~~a. The person~~ (i) the individual has been released upon
75 completion of sentence ~~;~~ ;

76 ~~b. The person~~ (ii) the individual has been pardoned ~~;~~ ; ~~or~~

77 ~~c. The person~~ (iii) the individual has successfully
78 completed probation or parole and has been released from
79 compliance by the ordering entity.

80 (2) Any individual who has met all conditions of his or
81 her probation or parole except for the payment of court costs,
82 fines, restitution, or fees, shall be deemed to have
83 successfully completed probation or parole for the purpose of
84 having his or her right to vote restored.



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85 (b) The ~~Certificate of Eligibility to Register to Vote~~
86 ~~shall be granted~~ board shall restore an individual's right to
87 vote upon a determination that ~~all of the requirements~~
88 individual has met one of the criteria in subsection (a) ~~are~~
89 ~~fulfilled.~~

90 ~~(c) Upon receipt of an application under this section,~~
91 ~~investigation of the request shall be assigned forthwith to an~~
92 ~~officer of the state Board of Pardons and Paroles. The~~
93 ~~assigned officer shall verify, through court records, records~~
94 ~~of the board, and records of the Department of Corrections,~~
95 ~~that the applicant has met the qualifications set out in~~
96 ~~subsection (a). Within 30 days of the initial application for~~
97 ~~a Certificate of Eligibility to Register to Vote, the officer~~
98 ~~shall draft a report of his or her findings including a~~
99 ~~statement as to whether the applicant has successfully~~
100 ~~completed his or her sentence and has complied with all the~~
101 ~~eligibility requirements provided in subsection (a).~~

102 ~~(d) After completing the investigation set out in~~
103 ~~subsection (c), the officer shall submit his or her report of~~
104 ~~investigation to the Executive Director of the Board of~~
105 ~~Pardons and Paroles.~~

106 ~~(e) If the report created pursuant to subsection (c)~~
107 ~~states that the applicant has met all of the eligibility~~
108 ~~criteria set forth in subsection (a), and the executive~~
109 ~~director or his or her designee attests that the report has~~
110 ~~been submitted properly and accurately, the Board of Pardons~~
111 ~~and Paroles shall issue a Certificate of Eligibility to~~
112 ~~Register to Vote to the applicant within 14 days of receipt of~~



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113 ~~the report by the executive director.~~

114 ~~(f) If the report created pursuant to subsection (c)~~
115 ~~states that the applicant has not met all of the eligibility~~
116 ~~criteria set forth in subsection (a), and the executive~~
117 ~~director or his or her designee attests that the report has~~
118 ~~been submitted properly and accurately, the Board of Pardons~~
119 ~~and Paroles shall not issue a Certificate of Eligibility to~~
120 ~~Register to Vote and shall notify the applicant of the~~
121 ~~decision and reason or reasons for the decision within 14 days~~
122 ~~of receipt of the report by the executive director. The~~
123 ~~applicant, upon completion of the eligibility requirement in~~
124 ~~subsection (a) for restoration of his or her rights, may~~
125 ~~submit a new application at any time if he or she has met the~~
126 ~~certification criteria.~~

127 ~~(g) A person~~ (c) An individual who has lost his or her
128 right to vote by reason of conviction in a state, ~~or federal,~~
129 or foreign court for ~~any of the following will not be eligible~~
130 ~~to apply for a Certificate of Eligibility to Register to Vote~~
131 ~~under this section: Impeachment, murder, rape in any degree,~~
132 ~~sodomy in any degree, sexual abuse in any degree, incest,~~
133 ~~sexual torture, enticing a child to enter a vehicle for~~
134 ~~immoral purposes, soliciting a child by computer, production~~
135 ~~of obscene matter involving a minor, production of obscene~~
136 ~~matter, parents or guardians permitting children to engage in~~
137 ~~obscene matter, possession of obscene matter, possession with~~
138 ~~intent to distribute child pornography, or treason~~ or
139 impeachment shall not have his or her right to vote restored.

140 ~~(h)~~ (d) This section shall not affect the right of any



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141 person to apply to the board for a pardon with restoration of
142 voting rights pursuant to Section 15-22-36.

143 ~~(i)~~ (e) Each state or county correctional facility,
144 prison, or jail shall post materials to be prepared by the
145 Secretary of State and the Board of Pardons and Paroles
146 notifying incarcerated individuals of the ~~requirements and~~
147 ~~procedures for having one's~~ right to have his or her voting
148 rights restored."

149 "§17-3-31

150 (a) Any ~~person~~ individual who is disqualified by reason
151 of conviction of any of the offenses mentioned in Section
152 17-3-30.1 as a felony involving moral turpitude for the
153 purposes of Section 177 ~~Article VIII~~ of the Constitution of
154 Alabama of ~~1901~~ 2022, except treason ~~and or~~ impeachment,
155 whether the conviction was had in a state, ~~or~~ federal, or
156 foreign court, and who has been pardoned, may be restored to
157 citizenship with the right to vote by the State Board of
158 Pardons and Paroles when specifically expressed in the pardon.
159 If otherwise qualified, ~~such person~~ the individual shall be
160 permitted to register or reregister as an elector upon
161 submission of a copy of the pardon document to the board of
162 registrars of the county of his or her residence.

163 ~~In addition, any person~~ (b) Any individual who ~~has been~~
164 ~~granted a Certificate of Eligibility to Register to Vote by~~
165 ~~the Board of Pardons and Paroles pursuant to Section~~
166 ~~15-22-36.1~~ was registered to vote at any time prior to losing
167 his or her right to vote by reason of a conviction in a state,
168 federal, or foreign court and has met one of the criteria set



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169 forth in Section 15-22-36.1(a), shall be ~~permitted to register~~
170 ~~or reregister as an elector upon submission of a copy of the~~
171 ~~certificate to the board of registrars of the county of his or~~
172 ~~her residence~~ eligible to vote.

173 (c) Any individual who was not registered to vote prior
174 to losing his or her right to vote by reason of conviction in
175 a state, federal, or foreign court and has met the eligibility
176 criteria set forth in Section 15-22-36.1(a) shall be permitted
177 to register as an elector."

178 "§17-3-50

179 The boards of registrars in the several counties of the
180 state shall ~~not~~ register any ~~person~~ individual as a qualified
181 elector ~~within 14 days prior to any election; provided, that~~
182 ~~the boards shall maintain open offices during business days in~~
183 ~~such 14-day period and on election day during the hours of~~
184 ~~voting~~ up to and including the day of an election."

185 "§17-11-3

186 (a) Any qualified elector of this state may apply for
187 and vote an absentee ballot by mail, by hand delivery, or by
188 commercial carrier, as determined by rule by the Secretary of
189 State, as provided in Sections 17-11-5 and 17-11-9, in any
190 primary, general, special, or municipal election, if he or she
191 makes application in writing ~~and meets one or more of the~~
192 ~~following requirements:~~

193 ~~(1) The person expects to be out of the county or the~~
194 ~~state, or the municipality for municipal elections, on~~
195 ~~election day.~~

196 ~~(2) The person has any physical illness or infirmity~~



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197 ~~which prevents his or her attendance at the polls, whether he~~
198 ~~or she is within or without the county on the day of the~~
199 ~~election.~~

200 ~~(3) The person expects to work a shift which has at~~
201 ~~least 10 hours which coincide with the hours the polls are~~
202 ~~open at his or her regular polling place.~~

203 ~~(4) The person is enrolled as a student at an~~
204 ~~educational institution located outside the county of his or~~
205 ~~her personal residence, attendance at which prevents his or~~
206 ~~her attendance at the polls.~~

207 ~~(5) The person is a member of, or spouse or dependent~~
208 ~~of a member of, the Armed Forces of the United States or is~~
209 ~~similarly qualified to vote absentee pursuant to the federal~~
210 ~~Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C.~~
211 ~~§§ 20301-20311.~~

212 ~~(6) The person has been appointed as an election~~
213 ~~officer or named as a poll watcher at a polling place other~~
214 ~~than his or her regular polling place.~~

215 ~~(7) The person is a caregiver for a family member to~~
216 ~~the second degree of kinship by affinity or consanguinity and~~
217 ~~the family member is confined to his or her home.~~

218 ~~(8) The person is incarcerated in prison or jail and~~
219 ~~has not been convicted of a felony involving moral turpitude,~~
220 ~~as provided in Section 17-3-30.1~~on a form prescribed by the
221 Secretary of State.

222 (b) Applications returned by mail must be received not
223 less than seven days prior to the election. Applications
224 returned by hand must be received not less than five days



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225 prior to the election.

226 (c) An applicant for an absentee ballot who is a member
227 of the Armed Forces of the United States, including the
228 Alabama National Guard, the United States Naval Reserves, the
229 United States Air Force Reserves, and the United States Army
230 Reserve on active duty or active duty for training or an
231 applicant who is the spouse of any member of the armed forces
232 or any other applicant qualified to vote absentee pursuant to
233 the federal Uniformed and Overseas Citizens Absentee Voting
234 Act, 52 U.S.C. §§ 20301-20311, may make application for an
235 absentee ballot by filling out the federal postcard
236 application form, authorized and provided for under the
237 provisions of The Federal Voting Assistance Act of 1955,
238 Public Law 296, Chapter 656, H.R. 4048, approved August 9,
239 1955, 84th Congress 1st Session.

240 ~~(d) Any registered elector who requires emergency~~
241 ~~treatment of a licensed physician within five days of an~~
242 ~~election may apply for an emergency absentee ballot for the~~
243 ~~election and may vote by returning the absentee ballot no~~
244 ~~later than noon on the day the election is held. The attendant~~
245 ~~physician shall describe and certify the circumstances as~~
246 ~~constituting an emergency on a special form designed by the~~
247 ~~Secretary of State and provided by his or her office to local~~
248 ~~absentee election managers. The special form shall be attached~~
249 ~~to the application.~~

250 ~~(e) (1) Any registered elector whose name appears on the~~
251 ~~poll list of qualified voters may vote by an emergency~~
252 ~~absentee ballot if any of the following situations arise:~~



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253 ~~a. The elector is required by his or her employer under~~
254 ~~unforeseen circumstances within five days before an election~~
255 ~~to be unavailable to vote at the polls on election day.~~

256 ~~b. The elector is a caregiver of a person who requires~~
257 ~~emergency treatment by a licensed physician within five days~~
258 ~~before an election.~~

259 ~~c. A family member to the second degree of kinship by~~
260 ~~affinity or consanguinity of an elector dies within five days~~
261 ~~before an election.~~

262 ~~(2) Under such circumstances, the elector shall apply~~
263 ~~for an emergency absentee ballot at the office of the absentee~~
264 ~~election manager no later than the close of the business day~~
265 ~~one day prior to the election. The applicant shall complete~~
266 ~~and file an application form designed by the Secretary of~~
267 ~~State for emergency absentee voters. The form shall contain an~~
268 ~~affidavit which the applicant shall sign or swear~~
269 ~~acknowledging that he or she was not aware of the situation~~
270 ~~constituting the emergency prior to five days before the~~
271 ~~election. An applicant who meets the requirements of this~~
272 ~~subsection may vote by an emergency absentee ballot. After~~
273 ~~voting the ballot, the voter shall hand the ballot to the~~
274 ~~absentee election manager.~~

275 ~~(f) If the occurrence of a state of emergency as~~
276 ~~declared in this or any other state, or by the federal~~
277 ~~government, renders substantial compliance with this article~~
278 ~~impossible or unreasonable for a group of qualified voters who~~
279 ~~respond to the emergency, the Secretary of State, pursuant to~~
280 ~~Section 41-22-5, may adopt an emergency rule to allow those~~



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281 ~~qualified voters to vote by absentee ballot. Notwithstanding~~
282 ~~any other laws to the contrary, all expenses and costs~~
283 ~~incurred by the state or any county in carrying out the~~
284 ~~responsibilities and duties included in an emergency rule~~
285 ~~adopted pursuant to this subsection shall be paid by the State~~
286 ~~of Alabama from any funds made available for election expenses~~
287 ~~under state and federal law.~~

288 ~~(g)~~ (d) Notwithstanding any other provision of otherwise
289 applicable law, in the event more than one absentee ballot is
290 cast in the name of the single voter, whether any multiple
291 ballot is cast by mail or otherwise, none of the affidavit
292 envelopes containing the multiple ballots shall be opened, and
293 none of the multiple ballots shall be counted, except in the
294 event of an election contest, upon the order of the election
295 contest tribunal. Upon the conclusion of an election contest
296 or, in the event no contest is filed, upon the expiration of
297 time for filing a contest, the multiple ballots shall be
298 provided to the district attorney, with photocopies provided
299 to the state Attorney General, for the investigation,
300 prosecution, or other action as may be appropriate under
301 applicable law."

302 "§17-11-4

303 (a) The application required in Section 17-11-3 shall
304 be in a form prescribed and designed by the Secretary of State
305 and shall be used throughout the state. The application form
306 shall contain and require all of the following:

307 (1) That the applicant submit sufficient information to
308 identify the applicant.



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309 (2) The applicant's name, residence address, and such
310 other information as necessary to verify that the applicant is
311 a registered voter.

312 (3) A list of all felonies of moral turpitude, as
313 provided in Section 17-3-30.1, and a requirement that the
314 applicant declare that he or she is not barred from voting
315 because of a disqualifying felony conviction or, if the
316 applicant was convicted of a disqualifying felony, that the
317 applicant's right to vote has been restored.

318 (4) An explanation of penalties for violations of this
319 section.

320 (b) ~~(1)~~ Any applicant may receive assistance in filling
321 out the application as he or she desires, but each application
322 shall be manually signed by the applicant, under penalty of
323 perjury, and if he or she signs by mark, the application shall
324 also include the name of the witness and the witness's
325 signature.

326 ~~(2) It shall be unlawful for any person to knowingly~~
327 ~~distribute an absentee ballot application to a voter that is~~
328 ~~prefilled with the voter's name or any other information~~
329 ~~required on the application form.~~

330 (c) (1) Completed applications may be submitted to the
331 absentee election manager in any of the following ways, as
332 further provided by rule of the Secretary of State:

- 333 a. The applicant delivering the application in person.
334 b. The applicant mailing the application by U.S. mail.
335 c. The applicant sending the application by commercial
336 carrier.



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337 d. The applicant's designee delivering the application
338 in person.

339 e. The applicant's designee mailing the application by
340 U.S. mail or commercial carrier.

341 (2) The Secretary of State shall provide applications
342 for absentee voting to military and overseas voters in
343 accordance with Section 17-4-35(14).~~Except in situations~~
344 ~~governed by Section 17-11-3(f), it shall be unlawful for an~~
345 ~~individual to submit a completed absentee ballot application~~
346 ~~to the absentee election manager other than his or her own~~
347 ~~application, except that an application for a voter who~~
348 ~~requires emergency treatment by a licensed physician within~~
349 ~~five days before an election pursuant to Section 17-11-3 may~~
350 ~~be submitted to the absentee election manager by an individual~~
351 ~~designated by the applicant.~~

352 ~~(d) (1) Except in situations governed by Section~~
353 ~~17-11-3(f), it shall be unlawful for a third party to~~
354 ~~knowingly receive a payment or gift for distributing,~~
355 ~~ordering, requesting, collecting, completing, prefilling,~~
356 ~~obtaining, or delivering a voter's absentee ballot~~
357 ~~application. Any person who violates this subdivision shall be~~
358 ~~guilty of a Class C felony.~~

359 ~~(2) Except in situations governed by Section~~
360 ~~17-11-3(f), it shall be unlawful for a person to knowingly pay~~
361 ~~or provide a gift to a third party to distribute, order,~~
362 ~~request, collect, prefill, complete, obtain, or deliver a~~
363 ~~voter's absentee ballot application. Any person who violates~~
364 ~~this subdivision shall be guilty of a Class B felony.~~



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365 ~~(e) Any voter who requires assistance to vote by reason~~
366 ~~of blindness, disability, or inability to read or write may be~~
367 ~~given assistance by an individual of the voter's choice, other~~
368 ~~than the voter's employer or agent of that employer or officer~~
369 ~~or agent of the voter's union.~~

370 ~~(f) Voters voting by absentee ballot through the~~
371 ~~Uniformed and Overseas Citizens Absentee Voting Act are not~~
372 ~~subject to this section. The Secretary of State shall provide~~
373 ~~applications for absentee voting to military and overseas~~
374 ~~voters in accordance with Section 17-4-35."~~

375 "§17-11-5

376 (a) Upon receipt of an application for an absentee
377 ballot as provided in Section 17-11-3, if the applicant's name
378 appears on the list of qualified voters produced from the
379 state voter registration list in the election to be held, ~~or~~
380 ~~if the applicant qualifies for a provisional absentee ballot,~~
381 the absentee election manager shall furnish the absentee
382 ballot to the applicant by: ~~(1) Forwarding~~ (i) forwarding it by
383 United States mail to the applicant's or voter's residence
384 address or, upon written request of the voter, to the address
385 where the voter regularly receives mail; or ~~(2)~~ (ii) by handing
386 the absentee ballot to the applicant in person or, ~~in the case~~
387 ~~of emergency voting when the applicant requires medical~~
388 ~~treatment,~~ his or her designee in person. If the absentee
389 election manager has reasonable cause to believe that the
390 applicant has given a fraudulent address on the application
391 for the absentee ballot, the absentee election manager shall
392 turn over the ballot application to the district attorney for



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393 any action which may be necessary under this article. ~~The~~
394 ~~absentee election manager may require additional proof of an~~
395 ~~applicant's eligibility to vote absentee when there is~~
396 ~~evidence of continuous absentee voting.~~ The absentee election
397 manager shall mail any absentee ballot requested to be mailed
398 as provided in Section 17-11-3 no later than the next business
399 day after an application has been received unless the absentee
400 ballots have not been delivered to the absentee election
401 manager. If the absentee ballots have not been so delivered,
402 the absentee election manager shall hold all requests until
403 the ballots are delivered and shall then respond by placing
404 ballots in the mail no later than the next business day.

405 (b) The official list of qualified voters shall be
406 furnished to the absentee election manager by the judge of
407 probate using a printout from the state voter registration
408 list of registered voters for that county containing voter
409 registration information useful in the identification of
410 absentee voters. The information provided in this report shall
411 be established by rules adopted by the Secretary of State with
412 the advice of the Alabama Circuit Court Clerks Association or
413 its members and shall indicate whether the individual is
414 obligated to produce identification in accordance with
415 Sections 17-9-30 and 17-10-1. The Secretary of State may
416 further provide by administrative rule for electronic access
417 to this list for optional use by the absentee election
418 manager. This list shall be made available beginning at least
419 55 days before the election. In municipal elections, the
420 official list of qualified voters shall be furnished to the



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421 absentee election manager at least 35 days before the
422 election. Any supplemental list of qualified electors shall
423 also be provided to the absentee election manager as soon as
424 the list becomes available. The absentee election manager
425 shall underscore on the list the name of each voter who has
426 applied for an absentee ballot and shall write immediately
427 beside his or her name the word "absentee." The Secretary of
428 State by rule may provide for electronic access to the
429 absentee election manager's county list of registered voters
430 in lieu of the printed list and for the method of identifying
431 applicants for absentee ballots in conjunction with the state
432 voter registration list.

433 (c) (1) The list of electors voting by absentee ballot
434 shall remain confidential until the day following the
435 election. The absentee election manager in all elections shall
436 deliver to the board of registrars the day following the
437 election, a copy of the list of all absentee voters, at which
438 point the list is deemed a public record. The list shall be
439 maintained in the office of the circuit clerk for 60 days
440 after the election, at which time it shall be delivered to the
441 judge of probate. Before the polls open at any election on
442 election day, the absentee election manager shall effectuate
443 the delivery to the election officers of each voting place a
444 list showing the name and address of every ~~person~~individual
445 whose name appears on the official list of qualified electors
446 for the voting place who applied for an absentee ballot in the
447 election. The name of the ~~person~~individual who applied for an
448 absentee ballot shall be identified as an absentee voter on



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449 the list of qualified electors kept at the voting place, and
450 the ~~person~~individual shall not vote again, except that in
451 county, state, and federal elections the person may vote a
452 provisional ballot. Applications for absentee ballots are
453 required for elections that are more than 42 days apart,
454 except as to individuals voting pursuant to the federal
455 Uniformed and Overseas Citizens Absentee Voting Act, ~~42 U.S.C.~~
456 ~~1973ff~~52 U.S.C. §§ 20301-20311.

457 (2) The absentee election manager shall redact any
458 information required to be redacted pursuant to Section
459 17-4-33 from any copy of an absentee voter list. This
460 subdivision shall not affect poll lists used at local
461 precincts.

462 (d) For individuals voting pursuant to the federal
463 Uniformed and Overseas Citizens Absentee Voting Act, ~~42 U.S.C.~~
464 ~~1973ff~~52 U.S.C. §§ 20301-20311, the Secretary of State, by
465 rule, shall prescribe use of standardized military and
466 overseas voter registration applications and applications for
467 absentee ballots adopted by the United States government. The
468 Secretary of State shall also prescribe by rule provisions
469 within the standard state application form for absentee voting
470 which permit the voter to identify himself or herself as a
471 military or overseas voter. Unless otherwise indicated by the
472 military or overseas voter, an application for an absentee
473 ballot by such a voter shall remain valid for any election for
474 a federal, state, or county office or for any proposed
475 constitutional amendment or a state or county referendum held
476 through the end of the calendar year in which the application



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477 is filed, provided that if an election cycle begins one year
478 and continues into the subsequent year, the application shall
479 be valid for the whole election cycle. The absentee election
480 manager shall provide an absentee ballot to the military and
481 overseas voters for each such subsequent election. The
482 absentee election manager, within seven days after each
483 regularly scheduled general election for federal office, shall
484 report the number of military and overseas ballots mailed out
485 and the number of ballots received to the Secretary of State,
486 who shall report this information to the Federal Election
487 Assistance Commission within 90 days of each regularly
488 scheduled general election for federal office."

489 "§17-11-9

490 (a) (1) Each prospective absentee voter who meets the
491 requirements of this article shall be furnished with the
492 absentee ballot ~~herein provided for~~, together with ~~two~~three
493 envelopes for returning his or her marked ballot, and
494 instructions for completing and returning the absentee ballot
495 as well as instructions for correcting mistakes in completing
496 ballots or obtaining a replacement ballot.

497 ~~One~~ (2) The first envelope shall be a ~~plain~~secrecy
498 envelope in which the ballot shall be sealed by the voter
499 after he or she has marked it.

500 (3) The second envelope shall be an affidavit envelope.
501 The affidavit envelope shall have the voter's affidavit
502 printed on the back ~~and shall be large enough to seal the~~
503 ~~plain ballot envelope inside.~~

504 (4) The ~~second~~third envelope shall ~~also~~ be a return



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505 mail envelope. The return mail envelope shall be addressed on
506 the front to the absentee election manager and shall be
507 endorsed on the left-hand upper corner ~~thereof~~ as follows:

508 "Absent Voter's Ballot. State, County, Municipal,
509 General, Primary, or Special Election (as the case may be) to
510 be held on the ___ day of ____, 2__ From _____ (name of
511 voter), precinct or districts _____, County of _____,
512 Alabama."

513 (b) (1) After marking the ballot and subscribing the
514 oath ~~herein~~ required, the voter shall: (i) seal his or her
515 ballot in the ~~plain~~ secrecy envelope; (ii) place ~~that~~
516 ~~plain~~ the secrecy envelope inside the affidavit envelope; (iii)
517 complete the affidavit, and have a notary public (or
518 other officer authorized to acknowledge oaths), or two
519 ~~witnesses~~ individuals witness his or her signature to the
520 affidavit; ~~and forward it~~ (iv) place the affidavit envelope
521 inside the return mail envelope; and (v) hand deliver the
522 return mail envelope to the absentee election manager or send
523 the return mail envelope by United States mail or by
524 commercial carrier to the absentee election manager ~~or hand it~~
525 ~~to him or her in person.~~

526 (2) A voter who is disabled, blind, or unable to read
527 or write, or his or her designee, may hand deliver the return
528 mail envelope to the absentee election manager or send the
529 return mail envelope by United States mail or by commercial
530 carrier. For purposes of this subdivision, a disabled voter
531 means an individual who is temporarily or permanently
532 physically incapacitated and unable to vote by absentee ballot



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533 without assistance.

534 (c) (1) Notwithstanding ~~the other provisions of~~ this
535 section, the absentee election manager shall determine whether
536 an applicant for an absentee ballot is obligated to produce
537 identification in accordance with Sections 17-9-30 and 17-10-1
538 or reidentify in accordance with Chapter 4. For absentee
539 applicants required to produce identification, ~~a third~~ an
540 additional envelope of different color and sufficient size to
541 enclose the ~~first and second~~ secrecy and affidavit envelopes
542 shall be provided to the applicant along with instructions for
543 including a proper form of identification in accordance with
544 Sections 17-9-30 and 17-10-1.

545 (2) For absentee applicants required to reidentify
546 because they do not appear in the voting place for which they
547 seek to vote but do appear in another voting place within the
548 state voter registration list, the absentee election manager
549 shall provide to the voter ~~a third~~ an additional envelope of
550 different color and sufficient size to enclose the ~~first and~~
551 ~~second~~ secrecy and affidavit envelopes along with a voter
552 reidentification form, a provisional voter affirmation, and
553 instructions in accordance with Section 17-10-2. ~~Such~~ The
554 ballot shall be treated as a provisional ballot and the term
555 "Provisional" shall be marked on the ~~second or~~ affidavit
556 envelope prior to transmitting the ballot to the voter.

557 (3) Applicants for an absentee ballot who do not appear
558 on the state voter registration list shall not be entitled to
559 an absentee ballot."

560 "§17-11-10



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561 (a) (1) Upon receipt of the absentee ballot, the
562 absentee election manager shall record ~~its~~the receipt on the
563 absentee list as provided in Section 17-11-5, shall examine
564 the affidavit envelope and determine if it contains a defect
565 that would prohibit a poll worker or other election official
566 from removing or counting the ballot under subdivision (b) (2),
567 and shall safely keep the ballot without breaking the seal of
568 the affidavit envelope.

569 (2) For any absentee ballot received three or more
570 business days preceding an election, the absentee election
571 manager, within two business days of receipt of the absentee
572 ballot, shall notify the elector of each defect with his or
573 her absentee ballot, provide instructions on how to cure the
574 defect, and notify the elector that he or she has until the
575 last business day before the election to cure the defect.

576 (3) The absentee election manager shall allow an
577 elector to cure any of the following defects:

578 a. The elector did not sign the affidavit.

579 b. The address provided on the affidavit does not match
580 the address on the absentee ballot application.

581 c. The order of envelopes is incorrect.

582 d. The affidavit is not properly witnessed or
583 notarized.

584 e. The elector failed to indicate his or her reason for
585 voting absentee.

586 (b) (1) The absentee election manager, beginning at 7:00
587 a.m. on the day of the election, shall deliver the sealed
588 affidavit envelopes containing absentee ballots to the



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589 election officials provided for in Section 17-11-11. The
590 election officials shall then call the name of each voter
591 casting an absentee ballot with poll watchers present as may
592 be provided under the laws of Alabama and shall examine each
593 affidavit envelope to determine if the signature of the voter
594 has been appropriately witnessed. If the witnessing of the
595 signature and the information in the affidavit establish that
596 the voter is entitled to vote by absentee ballot, then the
597 election officials shall certify the findings, open each
598 affidavit envelope, and deposit the plain envelope containing
599 the absentee ballot into a sealed ballot box.

600 (2) No poll worker or other election official shall
601 open an affidavit envelope if the envelope indicates the
602 ballot is an unverified provisional ballot or the affidavit is
603 unsigned by the voter or unmarked, and no ballot envelope or
604 ballot may be removed or counted. No poll worker or other
605 election official shall open an affidavit envelope if the
606 voter's affidavit signature or mark is not witnessed by the
607 signatures of two witnesses or a notary public, or other
608 officer, including a military commissioned officer, authorized
609 to acknowledge oaths, and no ballot envelope or ballot may be
610 removed or counted. The provision for witnessing of the
611 voter's affidavit signature or mark in Section 17-11-7 goes to
612 the integrity and sanctity of the ballot and election. No
613 court or other election tribunal shall allow the counting of
614 an absentee ballot with respect to which the voter's affidavit
615 signature or mark is not witnessed by the signatures of two
616 witnesses 18 years of age or older or a notary public, or



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617 other officer, including a military commissioned officer,
618 authorized to acknowledge oaths, prior to being delivered or
619 mailed to the absentee election manager.

620 (3) Upon closing of the polls, the absentee ballots
621 shall be counted and otherwise handled in all respects as if
622 the absentee voter were present and voting in person. Precinct
623 ballot counters may be used to count absentee ballots.
624 Absentee election officials are to be appointed and trained in
625 the same manner as prescribed for regular election officials.
626 The number of absentee election officials shall be determined
627 by the number of precinct counters provided. The county
628 commission may provide more than one precinct ballot counter
629 based upon the recommendation of the absentee election
630 manager. Beginning not earlier than 7:00 a.m. on election day,
631 the absentee election officials shall perform the duties
632 prescribed in Section 17-11-11.

633 (4) ~~As regards~~ Regarding municipalities with
634 populations of less than 10,000, in the case of municipal
635 elections held at a time different from a primary or general
636 election, the return mail envelopes containing the ballots
637 shall be delivered to the election official of the precinct of
638 the respective voters, unless the city or town having a
639 population of less than 10,000 inhabitants has established, by
640 permanent ordinance adopted six months prior to the municipal
641 election, a procedure for the appointment of absentee election
642 officials pursuant to subsection (c) of Section 11-46-27.

643 (c) (1) Absentee ballots cast in a second primary
644 election for federal, state, or county office by individuals



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645 voting pursuant to the federal Uniformed and Overseas Citizens
646 Absentee Voting Act, 52 U.S.C. §§ 20301-20311, and received
647 after noon on the day of the second primary election, shall be
648 opened and counted at the same time as the verified
649 provisional ballots. At noon seven days after the second
650 primary election, the absentee election manager shall deliver
651 the sealed affidavit envelopes containing absentee ballots to
652 the officials provided for in subsection (f) of Section
653 17-10-2. The officials shall call the name of each voter
654 casting an absentee ballot in the presence of watchers
655 designated by any interested candidates and shall examine each
656 affidavit envelope to determine if the signature of the voter
657 has been appropriately witnessed. If the witnessing of the
658 signature and the information in the affidavit establish that
659 the voter is entitled to vote by absentee ballot, then the
660 election officials shall certify the findings, open each
661 affidavit envelope, and deposit the plain envelope containing
662 the absentee ballot into a sealed ballot box.

663 (2) No election official shall open an affidavit
664 envelope if the affidavit printed thereon is unsigned by the
665 voter or unmarked, and no ballot envelope or ballot therein
666 may be removed or counted. No election official shall open an
667 affidavit envelope if the voter's affidavit signature or mark
668 is not witnessed by the signatures of two witnesses or a
669 notary public, or other officer, including a military
670 commissioned officer, authorized to acknowledge oaths, and no
671 ballot envelope or ballot therein may be removed or counted.
672 The provision for witnessing of the voter's affidavit



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673 signature or mark in Section 17-11-7 goes to the integrity and
674 sanctity of the ballot and election. No court or other
675 election tribunal shall allow the counting of an absentee
676 ballot with respect to which the voter's affidavit signature
677 or mark is not witnessed by the signatures of two witnesses 18
678 years of age or older or a notary public, or other officer,
679 including a military commissioned officer, authorized to
680 acknowledge oaths, prior to being delivered or mailed to the
681 absentee election manager.

682 (3) The absentee ballots described in this subsection
683 shall be opened, counted, and tabulated. The results of the
684 absentee ballots counted and tabulated on election day shall
685 be amended to include the results of the absentee ballots
686 described in this subsection.

687 (4) In all other respects, unless otherwise
688 specifically provided by law, the absentee ballots described
689 in this subsection shall be treated as other absentee ballots.

690 (d) The Secretary of State shall adopt rules to
691 implement subsection (a)."

692 Section 2. (a) This section and Sections 3 through 7
693 shall be known and may be cited as the Alabama Voting Rights
694 Act.

695 (b) For purposes of Sections 3 through 7, the following
696 words have the following meanings:

697 (1) ALTERNATIVE METHOD OF ELECTION. A method of
698 electing candidates to the legislative body of a municipality
699 other than an at-large method of election or a district-based
700 method of election, and includes, but is not limited to,



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701 proportional ranked-choice voting and cumulative voting.

702 (2) AT-LARGE METHOD OF ELECTION. A method of electing
703 candidates to the legislative body of a municipality in which
704 candidates are voted upon by all electors of the municipality.
705 This does not include any alternative method of election.

706 (3) COMMISSION. The Alabama Voting Rights Act
707 Commission established under Section 4.

708 (4) DISTRICT-BASED METHOD OF ELECTION. A method of
709 electing candidates to the legislative body of a municipality
710 in which, for municipalities divided into districts, a
711 candidate for a district is required to reside in the district
712 and candidates representing or seeking to represent the
713 district are voted upon by the electors residing in the
714 district.

715 (5) GOVERNMENT ENFORCEMENT ACTION. Any denial of
716 administrative or judicial preclearance by the state or
717 federal government, pending litigation filed by a state or
718 federal entity, final judgment or adjudication, consent decree
719 or other similar formal action.

720 (6) LEGISLATIVE BODY. The city council, board of
721 education, county commission, district committee, association
722 committee, or other similar body of a municipality.

723 (7) LOCAL GOVERNMENT. Any political subdivision within
724 the State of Alabama that administers elections or in which
725 elections are conducted and includes a county, municipality,
726 or school district.

727 (8) ORGANIZATION. Any entity or group of persons with a
728 commonly aligned purpose other than an individual.



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729 (9) PROTECTED CLASS. A class of citizens who are
730 members of a race, color, or language minority group as
731 referenced in the Voting Rights Act of 1965.

732 (10) RACIALLY POLARIZED VOTING. Voting in which the
733 candidate or electoral choice preferred by members of a
734 protected class diverges from the candidate or electoral
735 choice preferred by voters who are not members of a protected
736 class.

737 (11) VOTING. Any action necessary to cast a ballot and
738 make the ballot effective in any general or primary election,
739 including, but not limited to, admission as an elector,
740 application for an absentee ballot, and any other action
741 required by law as a prerequisite to casting a ballot and
742 having such ballot counted, canvassed, or certified properly
743 and included in the appropriate totals of votes cast with
744 respect to candidates for election or nomination and to
745 amendment questions.

746 (12) VOTING RIGHTS ACT. The Voting Rights Act of 1965,
747 52 U.S.C. §10101 et seq., as amended.

748 Section 3. (a) No local government, state agency, or
749 state official may implement a regulation, standard, practice,
750 procedure, or policy regarding the administration of elections
751 or take or fail to take any action that results or is intended
752 to result in a disparity among members of a protected class in
753 electoral participation, access to voting participation,
754 access to voting opportunities, or ability to participate in
755 the political process, or an impairment of the opportunity or
756 ability of members of a protected class within a local



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757 government to participate in the political process and elect
758 candidates of their choice or otherwise influence the outcome
759 of elections.

760 (b) There is a rebuttable presumption that a local
761 government violates subdivision (a) if it does any of the
762 following:

763 (1) Closes, moves, consolidates, or fails to provide
764 polling places or reassigns voters to precincts or precincts
765 to polling places in a manner that impairs the right to vote
766 of members of a protected class or results in a disparity in
767 geographic access between members of a protected class and
768 other members of the electorate.

769 (2) Changes dates or hours of an election in a manner
770 that impairs the right to vote of members of a protected
771 class, including, but not limited to, making the change
772 without proper notice as required by law.

773 (3) Fails to provide voting or election materials in
774 languages other than English as required by law.

775 (4) Calls a special election to fill a vacancy on a
776 date that would reasonably result in a disparity in levels of
777 participation between protected class voters and other voters,
778 and there exists an alternate date in a reasonable timeframe
779 in which the disparity would be materially less significant.

780 (c) (1) No local government may employ a method of
781 election for any office that has the effect of, or is
782 motivated in part by, the intent to impair the opportunity or
783 ability of members of a protected class to participate in the
784 political process and elect candidates of their choice or



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785 otherwise influence the outcome of elections as a result of
786 diluting the vote of members of a protected class.

787 (2) A local government violates this subsection if it
788 employs a method of election that results in racially
789 polarized voting which impairs the equal opportunity or
790 ability of members of a protected class to nominate or elect
791 candidates of their choice.

792 (d) Any individual aggrieved by a violation of this
793 section, any organization whose membership includes
794 individuals aggrieved by a violation of this section, any
795 organization whose mission would be frustrated by a violation
796 of this section, any entity that would expend resources in
797 order to fulfill its mission as a result of a violation of
798 this section, the commission, or the Attorney General may file
799 an action alleging a violation of this section to enforce
800 compliance with this section in a court of competent
801 jurisdiction. Such a claim may be filed pursuant to the
802 Alabama Rules of Civil Procedure. Members of two or more
803 protected classes that are politically cohesive in a local
804 government may jointly file an action.

805 (e) (1) Prior to filing suit under subsection (d), the
806 aggrieved party shall send a notice letter to the local
807 government alleged to be in violation to allow the local
808 government the opportunity to correct the violation.

809 (2) The local government shall have seven calendar days
810 in which to respond detailing what actions it will take to
811 address the violations or to deny the allegations in whole or
812 in part.



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813 (3) If the perceived violation occurs within 14 days of
814 the voter registration deadline for the relevant election, the
815 aggrieved party is granted leave from the notice requirement.

816 Section 4. (a) There is established the Alabama Voting
817 Rights Act Commission.

818 (b) The commission shall be responsible for
819 administering the Alabama Voting Rights Act.

820 (c) The commission shall consist of five commissioners,
821 each of whom shall serve staggered five year terms.
822 Commissioners shall be compensated for their time spent on
823 commission business at an hourly rate based on the rate
824 equivalent to an assistant attorney general.

825 (1) A nominating committee shall be formed to identify
826 qualified candidates to serve as members of the commission.
827 The nominating committee shall be comprised of nominating
828 organizations. Organizations may apply with the Secretary of
829 State to be certified as a nominating organization for five
830 year terms, at which point organizations may be recertified.
831 The Secretary of State must certify any organization that
832 applies to be a nominating organization if the organization:

833 a. Demonstrates commitment to the purpose of the
834 commission by securing the voting rights of members of a
835 protected class as defined by the commission, including, but
836 not limited to, reference to members of a protected class in
837 its mission statement, involvement in numerous voting rights
838 cases brought within the state on behalf of members of
839 protected classes, or involvement in advocacy in support of
840 members of protected classes or the commission;



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841 b. Has registered as a nonprofit corporation with the
842 Secretary of State; and

843 c. Demonstrates continuous operation as a nonprofit
844 organization under 26 U.S.C. § 501(c)(3) or as a nonprofit
845 corporation registered with the Secretary of State for at
846 least 10 years.

847 (2) If the Secretary of State fails to timely certify
848 an organization that satisfies these qualifications following
849 the organization's application to be certified as a nominating
850 organization, the organization may file an action against the
851 Secretary of State for a declaratory judgment certifying the
852 organization as a nominating organization.

853 (3) A nominating organization may be removed for cause
854 by a majority vote of all of the nominating organizations.

855 (4) If there are fewer than 16 nominating organizations
856 certified by the Secretary of State, the nominating committee
857 shall consist of all of the nominating organizations. If there
858 are 16 or more nominating organizations certified by the
859 Secretary of State, the nominating committee shall consist of
860 16 nominating organizations to be randomly selected from all
861 nominating organizations on an annual basis.

862 (5) The nominating committee shall select its own chair
863 to preside over meetings and voting.

864 (6) Commissioners shall be selected as follows:

865 a. The nominating committee shall solicit applications
866 to serve as a commissioner from across the state. A
867 commissioner must meet all of the following criteria:

868 1. Be an Alabama resident.



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869 2. Be a member of The Alabama State Bar with at least
870 five years of legal experience.

871 3. Has demonstrated experience representing or
872 advocating on behalf of members of protected classes.

873 4. Has not served in elected office within the previous
874 five years.

875 5. Is not currently serving in any government office or
876 holding any political party office.

877 b. The nominating committee shall maintain a qualified
878 candidate pool consisting of 30 qualified candidates to serve
879 on the commission. Individuals shall only be added to the
880 qualified candidate pool upon a three-fifths vote of the
881 nominating committee. The size of the qualified candidate pool
882 may be increased or decreased from 30 qualified individuals by
883 a three-fifths vote of the nominating committee.

884 c. All commissioners shall be randomly selected from
885 the qualified candidate pool. Upon the initial formation of
886 the commission, five commissioners shall be randomly selected
887 from the qualified candidate pool and randomly assigned to
888 term lengths of five years, four years, three years, two
889 years, and one year. At least 60 days before the conclusion of
890 each commissioner's term, a new commissioner shall be randomly
891 selected from the qualified candidate pool to serve a
892 five-year term upon the conclusion of the current
893 commissioner's term. Within 30 days after a vacancy occurs on
894 the commission, a new commissioner shall be randomly selected
895 from the qualified candidate pool to complete the vacant term.

896 (d) In any action or investigation to enforce the



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897 Alabama Voting Rights Act, the commission may subpoena
898 witnesses, administer oaths, examine individuals under oath,
899 determine material facts, and compel production of records,
900 books, papers, contracts, and other documents in accordance
901 with the ordinary rules of civil procedure.

902 (e) The commission may hire staff and make expenditures
903 as necessary to carry out its responsibilities.

904 (f) The commission may adopt rules to administer
905 Sections 2 through 7.

906 Section 5. (a) The Secretary of State shall establish
907 in the Office of the Secretary of the State a statewide
908 database of information necessary to assist the state and any
909 municipality in: (i) evaluating whether and to what extent
910 current laws and practices related to election administration
911 are consistent with the Alabama Voting Rights Act; (ii)
912 implementing best practices in election administration to
913 further the purposes of Sections 2 through 7; and (3)
914 investigating any potential infringement upon the right to
915 vote.

916 (b) Not later than January 1, 2026, the Secretary of
917 the State shall designate an employee of the Office of the
918 Secretary of the State to serve as manager of the statewide
919 database. The designated employee shall possess an advanced
920 degree from an accredited college or university, or equivalent
921 experience, and have expertise in demography, statistical
922 analysis, and electoral systems. The designated employee shall
923 be responsible for the operation of the statewide database and
924 shall manage staff as is necessary to implement and maintain



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925 the statewide database.

926 (c) The statewide database shall maintain in electronic
927 format, for a period covering at least the 12 previous years,
928 all of the following data and records:

929 (1) Estimates of total population, voting age
930 population, and citizen voting age population by race, color,
931 and language minority group, broken down annually to the
932 voting district level for each municipality, based on
933 information from the United States Census Bureau, including
934 from the American Community Survey or information of
935 comparable quality collected by a similar governmental agency,
936 and accounting for population adjustments, as applicable.

937 (2) Election results at the district level for each
938 statewide election and each election in each municipality.

939 (3) Regularly updated registry lists, geocoded
940 locations for each elector, and elector history files for each
941 election in each municipality.

942 (4) Contemporaneous maps and descriptions of boundaries
943 and other similar items which shall be provided as shapefiles
944 or in a comparable electronic format if an electronic format
945 is available.

946 (5) Geocoded locations of polling places and absentee
947 ballot drop boxes for each election in each municipality and a
948 list or description of the voting districts or geographic
949 areas served by each such location.

950 (6) Any other information the Secretary of the State
951 deems advisable to maintain the database in furtherance of the
952 purposes of Sections 2 through 7.



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953 (d) Except for any data, information, or estimates that
954 identify individual electors, the data, information, or
955 estimates maintained in the statewide database shall be
956 published on the website of the Office of the Secretary of the
957 State and made publicly available in electronic format at no
958 cost.

959 (e) Any estimates prepared pursuant to this section,
960 including estimates of eligible electors, shall be prepared
961 using the most advanced, peer-reviewed, and validated
962 methodologies available to the state.

963 (f) Upon the certification of election results and the
964 completion of the elector history file after each election,
965 the officials responsible for administering elections in each
966 municipality shall transmit to the Secretary of the State, in
967 electronic format, copies of all of the following:

968 (1) Election results at the voting district level.

969 (2) Updated registry lists.

970 (3) Elector history files.

971 (4) Maps, descriptions of boundaries, and similar
972 items.

973 (5) Lists of polling place and absentee ballot drop box
974 locations and lists or descriptions of the voting districts or
975 geographic areas served by the locations.

976 (g) At least annually or upon the request by the
977 Secretary of State, the Alabama Criminal Justice Information
978 Center, or any other state entity identified by the Secretary
979 of State as possessing data, statistics, or other information
980 that the Office of the Secretary of the State requires to



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981 carry out its duties and responsibilities under Title 17, Code
982 of Alabama 1975, shall provide to the Secretary of State such
983 data, statistics, or information.

984 (h) The Office of the Secretary of the State may
985 provide nonpartisan technical assistance to municipalities,
986 researchers, and members of the public seeking to use the
987 resources of the statewide database.

988 (i) In each action filed pursuant to Section 3 of this
989 act, there shall be a rebuttable presumption that the data,
990 estimates, or other information maintained in the statewide
991 database is valid.

992 Section 6. (a) The enactment or implementation of a
993 covered policy by a covered jurisdiction shall be subject to
994 preclearance by the commission or the Fifteenth Judicial
995 Circuit.

996 (b) A covered policy, as determined by the commission,
997 includes any new or modified qualification for admission as an
998 elector, prerequisite to voting, or ordinance, regulation,
999 standard, practice, procedure, or policy concerning any of the
1000 following:

- 1001 (1) Districting or redistricting.
- 1002 (2) Method of election.
- 1003 (3) Form of government.
- 1004 (4) Annexation, incorporation, dissolution,
1005 consolidation, or division of a municipality.
- 1006 (5) An elector's voter registration status.
- 1007 (6) Hours of operation for any polling location.
- 1008 (7) Assignment of voting districts to polling location



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1009 or absentee ballot drop box locations.

1010 (8) Assistance offered to members of a protected class.

1011 (9) Any additional subject matter the commission may
1012 identify for inclusion in this subsection, pursuant to a rule
1013 adopted by the Secretary of State in accordance with the
1014 Alabama Administrative Procedure Act, if the Secretary of
1015 State determines that any qualification for admission as an
1016 elector, prerequisite to voting or ordinance, regulation,
1017 standard, practice, procedure, or policy concerning the
1018 subject matter may have the effect of diminishing the right to
1019 vote of any member of a protected class or have the effect of
1020 violating the Alabama Voting Rights Act. A decision by the
1021 commission to identify or to not identify any additional
1022 subject matter for inclusion in this section shall be final
1023 and shall not be subject to review in any court or forum,
1024 except as provided in the Constitution of Alabama of 2022.

1025 (c) A covered jurisdiction includes a local government
1026 that meets any of the following criteria:

1027 (1) Within the 25 preceding years, has been subject to
1028 any court order, court-approved consent decree, government
1029 enforcement action, or settlement in which the local
1030 government conceded liability for violating the Alabama Voting
1031 Rights Act, the Voting Rights Act of 1965, any state or
1032 federal civil rights law, the Fourteenth or Fifteenth
1033 Amendment to the United States Constitution concerning a
1034 violation of the right to vote, or a pattern, practice, or
1035 policy of discrimination against any member of a protected
1036 class.



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1037 (2) Within the three preceding years, has failed to
1038 comply with obligations to provide data or information to the
1039 statewide database pursuant to Section 5.

1040 (3) Within the 25 preceding years, was found to have
1041 enacted or implemented a covered policy without obtaining
1042 preclearance for the covered policy pursuant to this section.

1043 (4) Within the preceding 10 years has at least 1,000
1044 eligible electors of any protected class, or a population of
1045 members of a protected class that is at least 10 percent of
1046 the eligible elector population of the local government and
1047 either: (i) the percentage of electors of any protected class
1048 in a local government that participated in any general
1049 election for any local government office is at least 10
1050 percentage points lower than the percentage of all electors in
1051 the local government that participated in the election; (ii)
1052 the percentage of eligible electors of the protected class who
1053 were registered to vote was at least 10 percentage points
1054 lower than the percentage of all eligible electors in the
1055 local government who were registered to vote; (iii) the
1056 dissimilarity index of the protected class based upon the
1057 United States Census data, calculated using census tracts, is
1058 in excess of 50 with respect to the race, color, or language
1059 minority group that comprises a plurality within the local
1060 government; (iv) the poverty rate among members of the
1061 protected class exceeds the poverty rate among the population
1062 of the local government as a whole by at least 10 percentage
1063 points; (v) the arrest rate among members of the protected
1064 class exceeds the arrest rate of the population of the local



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1065 government by at least 10 percentage points; or (vi) the
1066 graduation rate of the protected class is lower than the
1067 graduation rate of the school district student population by
1068 at least 10 percentage points.

1069 (d) (1) At least annually, the commission shall
1070 determine which governmental entities are covered
1071 jurisdictions pursuant to subsection (c) and provide a list of
1072 the local governments to the Secretary of the State who shall
1073 publish the list on the Secretary of State's website.

1074 (2) A determination of the commission as to coverage
1075 under subdivision (1) shall be effective upon the publication
1076 and may be appealed in accordance with Chapter 22 of Title 41,
1077 Code of Alabama 1975.

1078 (e) (1) If a covered jurisdiction seeks preclearance
1079 from the commission for the adoption or implementation of any
1080 covered policy, the covered jurisdiction shall submit the
1081 covered policy in writing to the commission.

1082 (2) If the commission receives a request for
1083 preclearance of a covered policy from a covered jurisdiction,
1084 not later than 10 calendar days after receipt of the request
1085 for preclearance of a covered policy, the commission shall
1086 publish the covered policy on the commission's website.

1087 (3) Members of the public shall have an opportunity to
1088 comment on any covered policy published on the commission's
1089 website within the time period set forth in subdivision (9).
1090 The Secretary of State shall allow members of the public to
1091 sign up to receive notifications of submitted covered policies
1092 for preclearance and deadlines for submission of public



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1093 comments.

1094 (4) The commission shall review the submission for
1095 preclearance and any public comments and provide a report and
1096 determination as to whether preclearance of the covered policy
1097 should be granted or denied within the time period set forth
1098 in subdivision (10). The time period for public comment shall
1099 run concurrently with the time period for review of the
1100 submission for preclearance.

1101 (5) The covered jurisdiction shall bear the burden of
1102 proof in any determination as to preclearance of a covered
1103 policy. The commission may request from additional information
1104 from a covered jurisdiction at any time during the
1105 commission's review for the purpose of developing the
1106 Secretary of State's report and determination. Failure of the
1107 covered jurisdiction to timely comply with reasonable requests
1108 for additional information may constitute grounds for the
1109 denial of preclearance. The commission shall publish on the
1110 website of the office of the commission each report and
1111 determination upon completion of the report.

1112 (6) In its determination, the commission shall state in
1113 writing whether the Secretary of State is approving or
1114 rejecting the covered policy, provided the commission may
1115 designate preclearance as preliminary and subsequently approve
1116 or deny final preclearance not later than 90 days after
1117 receipt of submission of the covered policy.

1118 (7) The commission shall deny preclearance to a
1119 submitted covered policy only if the covered policy is more
1120 likely than not to violate the provisions of the Alabama



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1121 Voting Rights Act or diminish the opportunity or ability of
1122 members of a protected class to participate in the political
1123 process and elect candidates of their choice or otherwise
1124 influence the outcome of elections. If the commission denies
1125 preclearance to a covered policy under this subdivision, the
1126 commission shall interpose objections explaining the
1127 commission's basis for the denial, and the covered policy
1128 shall not be enacted or implemented.

1129 (8) If the commission grants preclearance to a
1130 submitted covered policy, the covered jurisdiction may
1131 immediately enact or implement the covered policy. A
1132 determination by the commission to grant preclearance shall
1133 not be considered by a court in any subsequent action
1134 challenging the covered policy.

1135 (9) The commission shall allow 10 business days for
1136 public comment on any submitted covered policy, except that
1137 the commission shall allow 20 business days for public comment
1138 on any submitted covered policy concerning the implementation
1139 of a district-based or alternative method of election, a
1140 districting or redistricting plan, or a change to a
1141 municipality's form of government.

1142 (10) The commission shall review and determine to grant
1143 or deny preclearance to a submitted covered policy not later
1144 than 30 calendar days after receipt of the submitted covered
1145 policy, except that the commission shall review and determine
1146 to grant or deny preclearance to a submitted covered policy
1147 concerning the implementation of a district-based or
1148 alternative method of election, a districting or redistricting



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1149 plan, or a change to a municipality's form of government not
1150 later than 90 days after receipt of the submitted covered
1151 policy.

1152 (11) If the commission fails to grant or deny
1153 preclearance to a submitted covered policy within the time
1154 period specified in subdivision (10), the covered policy shall
1155 be deemed precleared and the covered jurisdiction may enact or
1156 implement the covered policy.

1157 (f) The commission may adopt rules in accordance with
1158 the Alabama Administrative Procedure Act to establish an
1159 expedited emergency preclearance process under which the
1160 commission may address covered policies that are submitted
1161 during or immediately preceding an election as a result of any
1162 attack, disaster, emergency, or other exigent circumstance.
1163 Any preclearance granted pursuant to the rules adopted under
1164 this subsection shall be designated "preliminary" and the
1165 commission may subsequently approve or deny final preclearance
1166 not later than 90 days after receipt of submission of the
1167 covered policy.

1168 (g) Any denial of preclearance by the commission may be
1169 appealed in accordance with Chapter 22 of Title 41, Code of
1170 Alabama 1975.

1171 (h) (1) If a covered jurisdiction seeks preclearance
1172 from the Fifteenth Judicial Circuit for the adoption or
1173 implementation of any covered policy, in lieu of seeking
1174 preclearance from the commission pursuant to subsection (e),
1175 the covered jurisdiction shall submit the covered policy to
1176 the court and may obtain preclearance in accordance with this



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1177 subsection, provided: (i) the covered jurisdiction shall also
1178 contemporaneously transmit to the commission a copy of the
1179 submission; and (ii) failure to provide a copy shall result in
1180 automatic denial of the preclearance.

1181 (2) Notwithstanding the transmission of a copy of any
1182 submission to the commission, the court shall exercise
1183 exclusive jurisdiction over the submission. The covered
1184 jurisdiction shall bear the burden of proof in the court's
1185 determination as to preclearance.

1186 (3) The court shall grant or deny preclearance no later
1187 than 90 days after the receipt of submission of a covered
1188 policy.

1189 (4) The court shall deny preclearance to a submitted
1190 covered policy only if the court determines that: (i) the
1191 covered policy is more likely than not to diminish the
1192 opportunity or ability of members of a protected class to
1193 participate in the political process and elect candidates of
1194 their choice or otherwise influence the outcome of elections;
1195 or (ii) the covered policy is more likely than not to violate
1196 the Alabama Voting Rights Act.

1197 (5) If the court grants preclearance to the covered
1198 policy, the covered jurisdiction may immediately enact or
1199 implement the covered policy. A determination by the court to
1200 grant preclearance to a covered policy shall not be admissible
1201 in, or otherwise considered by, a court in any subsequent
1202 action challenging the covered policy.

1203 (6) If the court denies preclearance to a covered
1204 policy, or fails to make a determination within 90 days of



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1205 receipt of submission of the covered policy, the covered
1206 policy shall not be enacted or implemented.

1207 (7) Any denial of preclearance under this subsection
1208 may be appealed in accordance with the Alabama Rules of
1209 Appellate Procedure. Any action brought pursuant to this
1210 subsection shall be expedited with respect to assignment for
1211 trial or appeal, including expedited pretrial and other
1212 proceedings.

1213 (i) If any covered jurisdiction enacts or implements
1214 any covered policy without obtaining preclearance for the
1215 covered policy in accordance with the provisions of this
1216 section, the commission or any party described in Section 3(d)
1217 may file an action in the Fifteenth Judicial Circuit to enjoin
1218 the enactment or implementation and seek sanctions against the
1219 covered jurisdiction for violations of this section.

1220 (j)(1) The commission may adopt rules, in accordance
1221 with the Alabama Administrative Procedure Act to effectuate
1222 the purposes of this section.

1223 (2) Any estimates prepared for the purpose of
1224 identifying covered jurisdictions under this section,
1225 including estimates of eligible electors, shall be prepared
1226 using the most advanced, peer-reviewed, and validated
1227 methodologies.

1228 Section 7. (a) The Secretary of State shall publicize
1229 his or her work with local registrars, probate offices, and
1230 election administrators to provide semi-annual voter outreach
1231 efforts to educate Alabama residents on matters, including,
1232 but not limited to, upcoming election dates, voter



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1233 registration requirements, available methods of voting, voting
1234 locations, and proposed redistricting changes.

1235 (b) There is established a Voter Education Fund to be
1236 administered by the commission.

1237 (c) The commission may expend monies from the fund for
1238 any of the following purposes:

1239 (1) Developing and distributing educational materials
1240 on voting rights and the voting process, including information
1241 on voter registration, absentee voting, and polling place
1242 accessibility.

1243 (2) Conducting public education campaigns to inform
1244 voters about changes to voting laws, procedures, or polling
1245 locations, and to counteract false or misleading information
1246 about voting.

1247 (3) Providing training and resources to local election
1248 officials, poll workers, and volunteers on how to ensure fair
1249 and equitable access to the ballot for all eligible voters.

1250 (4) Establishing and maintaining voter hotlines, online
1251 portals, or other mechanisms for voters to report incidents of
1252 voter intimidation, suppression, or discrimination, and for
1253 election officials to respond to such reports.

1254 (5) Supporting voter outreach efforts targeted at
1255 historically underrepresented communities, including, but not
1256 limited to, members of protected classes, low-income
1257 individuals, youth, and people with disabilities.

1258 (6) Providing grants to community-based organizations,
1259 civic groups, and civil rights organizations to conduct voter
1260 education and mobilization activities, such as voter



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1261 registration drives, candidate forums, and get-out-the-vote
1262 campaigns, or to engage in nonpartisan advocacy, litigation,
1263 or other legal actions to protect voting rights, challenge
1264 discriminatory voting practices, or seek redress for victims
1265 of voter suppression or intimidation.

1266 (7) Partnering with schools and universities to develop
1267 and implement nonpartisan curricula on civic engagement,
1268 voting, and the importance of participating in the democratic
1269 process.

1270 (8) Funding research and evaluation projects to assess
1271 the impact of voter education and outreach efforts on voter
1272 participation and civic engagement and to identify best
1273 practices for improving access to the ballot.

1274 Section 8. This act shall become effective on October
1275 1, 2025.