

HB71 INTRODUCED



1 HB71
2 XGUF777-1
3 By Representative Clarke
4 RFD: Constitution, Campaigns and Elections
5 First Read: 04-Feb-25
6 PFD: 04-Dec-24



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SYNOPSIS:

Under existing law, the only way for an elector to vote before election day in this state is to vote by absentee ballot, provided the elector meets one of the excuses that allows for absentee voting.

This bill would provide a process for early voting in general and special elections, other than municipal elections.

This bill would prescribe minimum days and hours of operation of early voting centers.

This bill would allow an elector, without excuse, to cast his or her vote using a voting machine at an early voting center.

This bill would require each county commission to establish early voting center locations in the county and establish a communications plan to publish notice of early voting in the respective county.

This bill would provide that staffing, reimbursement of election expenses, and election day conduct would apply to early voting.

This bill would also require the Secretary of State to adopt rules to ensure the process does not permit electors to vote more than once in any election.



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29 A BILL
30 TO BE ENTITLED
31 AN ACT

32
33 Relating to elections; to provide a process for early
34 voting in certain elections; to prescribe the number,
35 location, and hours of operation of early voting centers in
36 each county; to authorize electors to cast a vote, without
37 excuse, by voting machine at an early voting center; to
38 provide for the conduct of early voting; and to require the
39 Secretary of State to adopt rules.

40 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

41 Section 1. (a) This section shall apply to all general
42 and special elections other than municipal elections.

43 (b) Beginning in the election cycle for the November
44 2026 General Election, qualified electors of this state may
45 obtain and cast an in-person ballot in advance of election
46 day, without excuse, at an early voting center in accordance
47 with this section.

48 (c) The early voting period shall begin the Saturday 17
49 days before election day and extend through the Thursday five
50 days before election day. Polls shall be open for early voting
51 for at least eight continuous hours between 7:00 a.m. and 8:00
52 p.m. no fewer than two weekdays each week, with at least two
53 days during the weekday open until 8:00 p.m., and between the
54 hours of 10:00 a.m. and 7:00 p.m. on each Saturday during the
55 early voting period. The early voting election officials shall
56 establish hours of operation of each early voting center,



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57 provided nothing in this subsection shall be construed to
58 prohibit a county commission from establishing a greater
59 number of hours for voting during the early voting period
60 beyond the number of hours required by this subsection.

61 (d) (1) Notwithstanding Section 17-8-1, Code of Alabama
62 1975, not more than 20 nor less than 15 days before the date
63 early voting begins pursuant to this section, the appointing
64 board of each county shall appoint necessary early voting
65 election officials, including at least one inspector and three
66 clerks at each center. During the early voting period,
67 election officials shall carry out the roles, duties, and
68 functions prescribed by law to election officials on election
69 day, as further provided by rules adopted by the Secretary of
70 State. Election officials shall be compensated for their
71 services as provided in Section 17-8-12, Code of Alabama 1975.

72 (2) Poll watchers shall be allowed at each early voting
73 center as provided in Section 17-8-7, Code of Alabama 1975, or
74 as otherwise provided by law.

75 (e) (1) Each county shall operate at least one early
76 voting center for every 100,000 residents, according to the
77 most recent federal decennial census. The county commission
78 shall determine the location of each early voting center and
79 the geographical area the center serves using the most recent
80 federal decennial census tract and block map. The boundaries
81 shall coincide with existing precinct boundaries. An early
82 voting center may be located in any branch of the county
83 courthouse or courthouse annex, a government building
84 generally accessible to the public, or a location that is used



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85 as an election day polling place.

86 (2) Notwithstanding subdivision (1), for any special
87 election, the county commission, by majority vote, may reduce
88 the number of early voting centers when the commission
89 determines a lesser number of centers is sufficient to meet
90 the needs of early voters.

91 (f) The process for voting at an early voting center
92 shall be conducted in the same manner as set forth in state
93 law for voting in person on election day. Each early voting
94 center shall be equipped with at least two voting machines
95 with which electors may cast their ballot. When the time
96 arrives for closing the early voting centers, all qualified
97 voters who are waiting in line to vote shall be permitted by
98 the election officer to cast their vote. Upon the daily
99 closing of an early voting center, the election officers shall
100 secure all ballots cast, the poll lists maintained at the
101 location, and all other voting materials, whether used or
102 unused, as provided by rules adopted by the Secretary of State
103 as necessary to comply with state law.

104 (g) Each county commission shall create a communication
105 plan to inform eligible electors of the opportunity to vote
106 early. The plan may use any media outlet, including social
107 media and the official county website, and shall publicize the
108 designation of voting precincts to assigned early voting
109 centers, along with the location, date, and hours of operation
110 of each early voting center. Each county shall provide the
111 Secretary of State's Office with elector polling place
112 information for early voting, and the Secretary of State shall



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113 integrate the early voting polling place information in its
114 voter information poll locator website.

115 (h) All expenses and costs incurred to comply with this
116 section shall be reimbursed in accordance with Article 1 of
117 Chapter 16 of Title 17, Code of Alabama 1975.

118 (i) The Secretary of State shall adopt rules to
119 implement this section. The rules shall include, but not be
120 limited to, provisions that do all of the following:

121 (1) Ensure that ballots cast early, by any method
122 allowed under state law, are counted and canvassed as if cast
123 on election day.

124 (2) Ensure an efficient and fair early voting process
125 that respects the privacy of the voter.

126 (3) Ensure that electors who vote during the early
127 voting period are not permitted to vote more than once in the
128 same election.

129 Section 2. This act shall become effective on July 1,
130 2025.