

HB541 ENGROSSED



1 HB541

2 TBYPQ99-2

3 By Representatives Yarbrough, Stadthagen, Butler, Myrex,

4 Harrison, Kiel, Underwood, Hammett, Whorton, Treadaway,

5 Pettus, Rehm, Paschal, Mooney, Ledbetter, Carns, Stringer

6 RFD: Ethics and Campaign Finance

7 First Read: 03-Mar-26



HB541 Engrossed

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A BILL
TO BE ENTITLED
AN ACT

Relating to primary elections; to establish the Safeguard Alabama Voter Engagement (SAVE) Act; to require electors to register their party affiliation in order to vote in primary elections and to provide for deadlines to register party affiliation; to amend Sections 17-13-1 and 17-13-7, Code of Alabama 1975, to prohibit electors registered with a political party from voting a different political party ballot at a primary election or primary runoff election; to require the Secretary of State to retain certain voter history information as a public record; to amend Section 17-3-52, Code of Alabama 1975, to require the Secretary of State to revise the voter application form to allow for party registration; to repeal Section 17-13-7.1, Code of Alabama 1975, which prohibits crossover voting between a primary election and subsequent primary runoff election; to amend Section 17-13-47, Code of Alabama 1975, to require political parties to publish qualifications for candidates on the websites of the political parties; and to make nonsubstantive, technical revisions to update the existing code language to current style.



HB541 Engrossed

29 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

30 Section 1. (a) This section shall be known and may be
31 cited as the Safeguard Alabama Voter Engagement (SAVE) Act.

32 (b) (1) On and after January 1, 2027, a qualified
33 elector shall register his or her political party affiliation
34 before the elector may vote in any countywide or statewide
35 primary or primary runoff election. A qualified elector may
36 register his or her party affiliation through the Secretary of
37 State's website or with the board of registrars, or at the
38 voting precinct of the elector on the day of any countywide or
39 statewide primary or primary runoff election. An elector who
40 has not registered a political party affiliation shall be
41 considered unaffiliated for purposes of Title 17, Code of
42 Alabama 1975. Notwithstanding Section 17-3-50, Code of Alabama
43 1975, an unaffiliated elector may register a political party
44 affiliation at any time, including during the 14-day period
45 before an election.

46 (2) If an elector chooses to register party affiliation
47 at a voting precinct on primary election day or primary runoff
48 election day, the act of requesting the ballot of a specific
49 political party shall constitute party registration, and no
50 additional action shall be required of the elector.

51 (3) A qualified elector who has already registered his
52 or her political party affiliation may not change his or her
53 political party affiliation to a different political party
54 during the period beginning 60 days prior to a primary
55 election through the day of the corresponding general
56 election.



HB541 Engrossed

57 (c) An elector who has registered a political party
58 affiliation may change his or her status to unaffiliated at
59 any time, provided the elector may not subsequently register
60 with a different political party during the blackout period
61 described in subdivision (b)(3).

62 (d) Nothing in this section shall be construed to
63 prohibit any state executive committee of a political party
64 from establishing the qualifications of individuals desiring
65 to become candidates for nomination to offices at a primary
66 election.

67 (e) (1) Beginning on and after July 1, 2027, signs shall
68 be posted at each polling place at a primary election and
69 primary runoff election that contains the following notice:

70 "By voting in this primary election, you have
71 registered your affiliation with a particular political party.
72 State law prohibits you from changing your political party
73 affiliation to a different political party until after the
74 general election. In the future, you may not change your party
75 affiliation within the 60-day period before any primary
76 election."

77 (2) A sign shall be posted in a clearly visible
78 location near the entrance of the polling place, and may be
79 posted in other conspicuous locations within a polling place,
80 as determined by the Secretary of State, by rule.

81 (f) The Secretary of State shall retain the following
82 voter history information for purposes of Section 17-4-38,
83 Code of Alabama 1975 for each voter:

84 (1) The party ballot requested in each primary and



HB541 Engrossed

85 primary runoff election held between January 1, 2017 and
86 January 1, 2027; and

87 (2) The party affiliation registered pursuant to this
88 section for the entire period of time the voter remains on the
89 voter registration list.

90 (g) Absentee ballot managers shall not be responsible
91 for registering a voter's political party affiliation.
92 Notwithstanding subsection (b), an absentee election manager
93 shall reject an application for an absentee ballot for a
94 primary election unless the absentee election manager
95 affirmatively confirms that the applicant has already
96 registered his or her political party affiliation.

97 (h) The Secretary of State shall adopt rules to
98 implement this section.

99 Section 2. Sections 17-3-52, 17-13-1, 17-13-7, and
100 17-13-47, Code of Alabama 1975, are amended to read as
101 follows:

102 "§17-3-52

103 (a) The board of registrars shall ~~have power to~~
104 examine, under oath or affirmation, all applicants for
105 registration, and ~~to~~ may take testimony touching the
106 qualifications of such applicants, but no applicant shall be
107 required to answer any question, written or oral, not related
108 to his or her qualifications to register.

109 (b) (1) In order to aid the registrars to judicially
110 determine if applicants to register have the qualifications to
111 register to vote, each applicant shall be furnished by the
112 board a written application, which shall be uniform in all



HB541 Engrossed

113 cases with no discrimination as between applicants, ~~the~~ The
114 form and contents of ~~which the~~ application shall be
115 ~~promulgated adopted,~~ by rule, by the Secretary of State ~~of the~~
116 ~~State of Alabama~~. The application shall be so worded that
117 there will be placed before the registrars information
118 necessary or proper to aid ~~them~~ the registrars to pass upon
119 the qualifications of each applicant. The application shall be
120 completed in writing. There shall be incorporated in such
121 application an oath to support and defend the Constitution of
122 the United States and the Constitution of the State of Alabama
123 of ~~1901~~ 2022 and a statement in such oath by the applicant
124 disavowing belief in or affiliation with any group or party
125 which advocates the overthrow of the government of the United
126 States or the State of Alabama by unlawful means. The
127 application and oath shall be duly signed by the applicant.

128 (2)a. On and after July 1, 2027, the application shall
129 include a provision that requires the applicant to choose his
130 or her political party affiliation as a Democrat or Republican
131 or as a member of any other political party authorized to hold
132 primary elections, or to remain unaffiliated. If an applicant
133 fails to choose one of these options, the applicant shall be
134 considered unaffiliated for purposes of this title.

135 b. The application shall also include a notice
136 generally stating that once registered, a voter may not change
137 his or her political party affiliation to another political
138 party during the period 60 days preceding a primary election
139 through the corresponding general election day, but that a
140 voter may become unaffiliated from any political party at any



HB541 Engrossed

141 time. Moreover, a voter who remains unaffiliated, may later
142 register a political party affiliation.

143 (c) If the applicant is unable to read or write, ~~then~~
144 the applicant shall be exempt from the ~~above stated~~
145 requirements in subsection (b) which the applicant is unable
146 to meet and in such cases, a witness shall read to the
147 applicant the application and oath, ~~herein provided for and~~
148 the applicant's answers ~~thereto~~ shall be written down by the
149 witness, and the applicant shall be registered as a voter if
150 he or she meets all other requirements ~~herein set out~~ in this
151 section.

152 (d) Each member of the board is authorized to
153 administer the oaths to be taken by applicants and witnesses.

154 (e) Except as provided in Section 17-3-53, the
155 applications of ~~persons~~ individuals applying for registration
156 shall not become public records ~~as public records are defined~~
157 ~~under the laws of the State of Alabama~~, nor shall the board
158 disclose the information contained in ~~such~~ applications and
159 written answers, except with the written consent of the ~~person~~
160 individual who filed the answer or pursuant to the order of a
161 court of competent jurisdiction in a proper proceeding."

162 "§17-13-1

163 A primary election, including a separate and special
164 presidential preference primary election, within the meaning
165 of this chapter, is an election held by the qualified voters
166 who are registered members of any political party, for the
167 purpose of nominating a candidate or candidates for public or
168 party office."



HB541 Engrossed

169 "§17-13-7

170 (a) All ~~persons~~ individuals who are qualified electors
171 under the general laws of the State of Alabama and who are
172 also registered members of a political party ~~and entitled to~~
173 ~~participate in such primary election under the rules of the~~
174 ~~party~~ shall be entitled to vote ~~therein~~ in a primary election
175 or primary runoff election and shall receive the official
176 primary ballot of that political party for which he or she is
177 registered pursuant to Section 1. ~~and no other; but every~~
178 ~~governing body of a party shall have the right, power, and~~
179 ~~authority to fix and prescribe the political or other~~
180 ~~qualifications of its own members and shall, in its own way,~~
181 ~~declare and determine who shall be entitled and qualified to~~
182 ~~vote in such primary election or to be candidates therein or~~
183 ~~to otherwise participate in such political parties and~~
184 ~~primaries. The qualifications of electors entitled to vote in~~
185 ~~such primary election shall not necessarily be the same as the~~
186 ~~qualifications for electors entitled to become candidates~~
187 ~~therein. Nothing herein contained shall be so construed as to~~
188 ~~prohibit any state executive committee of a party from fixing~~
189 ~~such qualifications as it may deem necessary for persons~~
190 ~~desiring to become candidates for nomination to offices at a~~
191 ~~primary election.~~

192 ~~(b) A political party may require all poll lists for~~
193 ~~primary elections to state at the top thereof that by~~
194 ~~participating in the primary election a voter shall indicate a~~
195 ~~preference for the party holding the primary, and will support~~
196 ~~the nominees of that party in the general election, and that~~



HB541 Engrossed

197 ~~he or she is qualified under the rules of such party to vote~~
198 ~~in its primary election.~~

199 (b) No ~~person~~ individual shall be eligible to
200 participate in the primary ~~election or primary runoff election~~
201 unless he or she ~~signs the poll list and thereby certifies to~~
202 ~~the truth of the statement~~ has registered his or her
203 affiliation pursuant to Section 1 with a political party
204 participating in that primary election or primary runoff
205 election."

206 "§17-13-47

207 (a) The governing body of a ~~political~~ party may fix
208 assessments upon those able to pay, or other qualifications as
209 it may deem necessary, for ~~persons~~ individuals desiring to
210 become candidates for nomination to offices at a primary
211 election, but such assessments shall not exceed two percent of
212 one year's salary of the office sought and, for an
213 unremunerative or party county office or an unremunerative or
214 party office to be filled by a vote of a subdivision greater
215 than one county, it shall not exceed fifty dollars (\$50) or
216 one hundred fifty dollars (\$150) for an unremunerative or
217 party office to be filled by a vote of the entire state.

218 (b) The governing body of each political party shall
219 publish on its official website the qualifications set by the
220 governing body for candidates seeking nomination to offices of
221 that political party."

222 Section 3. Section 17-13-7.1, Code of Alabama 1975,
223 prohibiting crossover voting between a primary election and
224 subsequent primary runoff election, is repealed.

HB541 Engrossed



225 Section 4. This act shall become effective on January
226 1, 2027.



HB541 Engrossed

227
228
229

House of Representatives

230 Read for the first time and referred03-Mar-26
231 to the House of Representatives
232 committee on Ethics and Campaign
233 Finance
234
235 Read for the second time and placed17-Mar-26
236 on the calendar:
237 0 amendments
238
239 Read for the third time and passed19-Mar-26
240 as amended
241 Yeas 63
242 Nays 35
243 Abstains 4
244
245

John Treadwell
Clerk

246
247
248