

HB575 INTRODUCED



1 HB575
2 9JFC9MM-1
3 By Representatives Moore (M), Datcher, Morris, Sellers, Hall,
4 Gray, Travis, Lands, Drummond, Warren, Hollis
5 RFD: Constitution, Campaigns and Elections
6 First Read: 05-Mar-26



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SYNOPSIS:

Under existing law, ballots are required to have a mechanism for straight political party voting.

This bill would prohibit ballots from including a mechanism for straight political party voting.

This bill would also repeal code sections that provide for certain procedures necessary due to straight political party voting.

A BILL
TO BE ENTITLED
AN ACT

Related to elections; to amend Sections 17-6-35 and 17-7-21, Code of Alabama 1975; to eliminate straight political party ticket voting; and to repeal Sections 17-6-36, 17-6-37, 17-6-38, and 17-6-39, Code of Alabama relating to the procedure of straight political party ticket voting.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 17-6-35 and 17-7-21, Code of Alabama 1975, are amended to read as follows:

"§17-6-35

~~If the elector desires to vote a straight party ticket, that is, for each and every candidate for one party for~~



HB575 INTRODUCED

29 ~~whatever office nominated, he or she shall mark the name of~~
30 ~~the party at the head of the ticket in the manner determined~~
31 ~~by a rule adopted by the Secretary of State under the~~
32 ~~Administrative Procedure Act~~ No ballot may include any feature
33 that allows straight political party ticket voting by
34 electors."

35 "§17-7-21

36 (a) The governing body of any county or municipality or
37 other political subdivision of the state by adoption of an
38 appropriate resolution, may authorize, adopt, and direct the
39 use of electronic vote counting systems for use in all
40 elections held in such county or municipality or other
41 political subdivision or any portion thereof. The resolution,
42 a copy of which shall be filed with the Secretary of State,
43 shall specify the particular type of equipment to be used and
44 a procedure for implementation.

45 (b) Notwithstanding subsection (a), no electronic vote
46 counting system shall be used unless it has been constructed
47 so that it does all of the following:

48 (1) Permits and requires voting in secrecy.

49 (2) Permits each elector to vote at any election for
50 all persons and offices for whom and for which he or she is
51 lawfully entitled to vote~~+~~; to vote for as many persons for an
52 office as he or she is entitled to vote for~~+~~; and to vote for
53 or against any question upon which he or she is entitled to
54 vote.

55 ~~(3) Permits the voter at other than primary elections~~
56 ~~to vote a straight political party ticket in one operation.~~



HB575 INTRODUCED

57 ~~(4)~~ (3) Permits the automatic tabulating equipment to be
58 set to reject all votes for any office or question when the
59 number of votes ~~therefor~~ exceeds the number that the voter is
60 entitled to cast or when the voter is not entitled to cast a
61 vote for the office or question.

62 ~~(5)~~ (4) Is capable of correctly counting votes.

63 ~~(6)~~ (5) When used in primary elections, counts only
64 votes for the candidates of one party, rejects all votes for
65 an office when the number of votes ~~therefor~~ exceeds the number
66 that the voter is entitled to cast, and rejects all votes of a
67 voter cast for candidates of more than one party.

68 ~~(7)~~ (6) At presidential elections, permits each elector,
69 by one operation, to vote for all presidential electors of a
70 party or independent candidates for president or vice
71 president.

72 ~~(8)~~ (7) Provides a method for write-in voting.

73 ~~(9)~~ (8) Is capable of accumulating a count of the
74 specific number of ballots tallied for a precinct~~+~~+
75 accumulating total votes by candidate for each office~~+~~+ and
76 accumulating total votes for and against each question for the
77 precinct.

78 ~~(10)~~ (9) Is capable of tallying votes from ballots of
79 different political parties from the same precinct, in the
80 case of a primary election.

81 ~~(11)~~ (10) Is capable of automatically producing precinct
82 vote totals in printed, marked, or punched form, or a
83 combination thereof.

84 ~~(12)~~ (11) Is capable of accurately and correctly



HB575 INTRODUCED

85 tabulating each vote and having ~~the same set~~those votes
86 certified.

87 ~~(13)~~ (12) Is not capable of connecting to the Internet
88 or cell phone networks and does not possess modem technology."

89 Section 2. Sections 17-6-36, 17-6-37, 17-6-38, and
90 17-6-39, Code of Alabama 1975, relating to the procedure of
91 straight political party ticket voting, are repealed.

92 Section 3. This act shall become effective on January
93 1, 2027.