

HB628 INTRODUCED



1 HB628
2 ARB3VQQ-1
3 By Representatives Moore (M), Datcher, Morris, Sellers, Jones,
4 Bracy, Hassell, Tillman, Gray, Travis, Chestnut, Drummond,
5 Warren, Daniels, England, McCampbell
6 RFD: Constitution, Campaigns and Elections
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SYNOPSIS:

Under existing law, a county board of registrars is required to purge an elector when the elector has become disqualified to vote.

Under existing law, a county board of registrars is required to change an elector's status to inactive if the elector has not voted in four years.

Under existing law, if a county board of registrars determines that an elector has moved to a different address, sends a notice to the elector, and the elector fails to respond to the notice, the board is required to change the elector's status to inactive.

This bill would prohibit a county board of registrars from purging, making inactive, or otherwise removing an elector from the statewide voter registration list within the 90-day period before any regular election.

This bill would also make nonsubstantive, technical revisions to update the existing code language to current style.

A BILL
TO BE ENTITLED
AN ACT



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29
30 Relating to elections; to amend Sections 17-4-3 and
31 17-4-9, Code of Alabama 1975, and Sections 17-4-30 and
32 17-4-39, Code of Alabama 1975, as amended by Act 2025-424 of
33 the 2025 Regular Session; to establish a 90-day period before
34 any regular election held in the state where no board of
35 registrars may purge, make inactive, or otherwise remove an
36 elector from the statewide voter registration list; and to
37 make nonsubstantive, technical revisions to update the
38 existing code language to current style.

39 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

40 Section 1. Sections 17-4-3 and 17-4-9, Code of Alabama
41 1975, and Sections 17-4-30 and 17-4-39, Code of Alabama 1975
42 as amended by Act 2025-424 of the 2025 Regular Session, are
43 amended to read as follows:

44 "§17-4-3

45 (a) (1) Each county board of registrars shall purge the
46 computerized statewide voter registration list on a continuous
47 basis, whenever ~~it~~ a board receives and confirms information
48 that ~~a person~~ an individual registered to vote in that county
49 has died, become a nonresident of the state or county, been
50 declared mentally incompetent, been convicted of any offense
51 designated pursuant to Section 17-3-30.1 as a felony involving
52 moral turpitude for the purposes of ~~Article VIII~~ Section 177 of
53 the Constitution of Alabama of ~~1901~~ 2022 since being
54 registered, or otherwise become disqualified as an elector.
55 Except as provided ~~below, a person~~ in subdivisions (2) and
56 (3), an individual convicted of a disqualifying criminal



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57 offense shall be notified by certified mail sent to the
58 voter's last known address of the board's intention to strike
59 his or her name from the list.

60 (2) No ~~person~~individual convicted of a disqualifying
61 crime may be ~~stricken~~struck from the poll list while an appeal
62 from the conviction is pending.

63 (3) The county board of registrars may not purge any
64 individual from the computerized statewide voter registration
65 list within 90 days of any election held in the state,
66 pursuant to Section 2 of this act.

67 (b) On the date set in the notice, or at a later date
68 to which the case may have been continued by the board, the
69 board shall proceed to consider the case of the elector whose
70 name ~~it~~the board proposes to strike from the registration list
71 and make its determination. Any ~~person~~individual whose name is
72 ~~stricken~~struck from the list may appeal from the decision of
73 the board without giving security for costs, and the board
74 shall forthwith certify the proceedings to the judge of
75 probate who shall docket the case in the probate court.

76 (c) An appeal from the judge of probate shall be ~~as~~
77 ~~appeals set forth~~in the same manner as provided in Section
78 17-3-55.

79 (d) In the event the Board of Pardons and Paroles is
80 supervising ~~a person~~an individual convicted of a disqualifying
81 criminal offense on probation or parole, and the
82 ~~person~~individual has received face-to-face counseling from the
83 supervising officer regarding voter disqualification and
84 executed documentation explaining the loss and restoration of



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85 civil and political rights, upon receipt of the documentation,
86 signed by the disqualified elector, the county board of
87 registrars shall be exempt from providing notice as otherwise
88 required by this section. The document administered by the
89 Board of Pardons and Paroles and to be signed by the
90 disqualified elector shall contain the following statement:
91 "Any person convicted of a disqualifying felony loses his or
92 her civil and political rights, which includes the right to
93 vote. Restoration of these rights may be applied for through
94 the Central Montgomery Office of the Board of Pardons and
95 Paroles, but only upon completion of the requirements of
96 Section 15-22-36.1."

97 (e) The Board of Pardons and Paroles shall provide
98 signed documentation to county boards of registrars to
99 indicate those ~~persons~~individuals under probation or parole
100 supervision with the board who have been convicted of a
101 disqualifying criminal offense and been counseled regarding
102 voter disqualification and the restoration of civil and
103 political rights, and may otherwise share privileged records
104 and files with county boards of registrars for the limited
105 purpose of implementing the requirements of this section.

106 (f) When the board has sufficient evidence ~~furnished it~~
107 that any elector has permanently moved from one precinct to
108 another within the county, ~~it~~the board shall change the
109 elector's precinct designation in the voter registration list,
110 and shall give notice by mail to the elector of the precinct
111 in which the elector is registered to vote.

112 (g) The Secretary of State and the Board of Pardons and



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113 Paroles may ~~promulgate~~adopt rules in accordance with the
114 Alabama Administrative Procedure Act ~~as necessary~~ to implement
115 this section."

116 "§17-4-9

117 (a) Any voter who fails to vote for four years in his
118 or her county shall have his or her name placed on an inactive
119 voter list by the ~~local~~county board of registrars. Once on the
120 inactive list, the voter shall reidentify with the ~~local~~county
121 board of registrars in order to again have his or her name
122 placed on the active voter registration list. Notwithstanding
123 the foregoing, if a voter on the inactive list goes to his or
124 her polling place to vote on an election day and identifies
125 himself or herself to the election official responsible for
126 the voter registration list update, ~~such~~the voter shall be
127 permitted to vote provided the voter completes a voter
128 reidentification form.

129 (b) The county board of registrars may not place any
130 voter on the inactive voter list, or otherwise remove a voter
131 from the active voter registration list, within 90 days of any
132 election held in the state, pursuant to Section 2 of this
133 act."

134 "§17-4-30

135 (a) Beginning in February 2025, and in February of
136 every fourth year thereafter, the board of registrars, or the
137 Secretary of State if acting as the board's agent pursuant to
138 subsection (h), shall use change-of-address information
139 supplied by the United States Postal Service through the
140 National Change of Address database and by at least one other



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

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

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



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169 a. A statement informing the voter that if the
170 pre-addressed card is not returned within the time specified
171 in the notice, the voter will be permitted to vote in that
172 same jurisdiction during the period from the date the notice
173 was mailed and ending on the day after the date of the second
174 general election for federal office, provided the voter
175 completes a voter registration update form. If the voter does
176 not update his or her voter registration record or vote during
177 the period ending on the day after the date of the second
178 general election for federal office, the voter's name shall be
179 removed from the list of eligible voters.

180 b. Information concerning how the voter may continue
181 his or her eligibility to vote in another jurisdiction if the
182 voter has changed his or her residence to an address outside
183 of the jurisdiction of the board of registrars under which he
184 or she is then registered.

185 (c) The board of registrars or Secretary of State shall
186 record and maintain in the statewide voter registration
187 database the dates on which the notice is mailed to a
188 registered voter and the card is subsequently returned to the
189 board by the registered voter.

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

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



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

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

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

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

212 (i) The board of registrars, or its agent, shall
213 complete the process of changing any voter's status to
214 inactive at least 90 days before any regular election held in
215 the state. The board, or its agent, may not change the status
216 of any voter within the 90-day period before any regular
217 election, pursuant to Section 2 of this act."

218 "§17-4-39

219 (a) (1) The board of registrars shall be responsible for
220 entering and updating in a timely manner the names and
221 information of the electors who register to vote and vote in
222 each election into the state voter registration list and for
223 conducting regular voter list maintenance activities as
224 directed by the Secretary of State and otherwise provided by



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225 law, including processing registered individuals identified by
226 programs conducted pursuant to subsection (b). Removal of any
227 registered individual determined to be improperly registered
228 may be accomplished at any time by a majority vote of the
229 board.

230 (2) Notwithstanding subdivision (1), a board of
231 registrars may not remove an individual from the state voter
232 registration list in the 90-day period before any regular
233 election is held in the state, pursuant to Section 2 of this
234 act.

235 (b) (1) The Secretary of State shall be responsible for
236 directly conducting regular state voter registration list
237 maintenance programs to ensure database integrity. These
238 programs shall be known as the Alabama Voter Integrity
239 Database (AVID). The Alabama Voter Integrity Database shall
240 compare the state voter registration list to:

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

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



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

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

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

265 (2) Individuals identified shall be timely communicated
266 by the Secretary of State to the appropriate board or boards
267 of registrars to process.

268 (c) Not later than February 1, annually, the Secretary
269 of State shall collect and publish data from each county
270 specifying the number of voters who were removed from the
271 voter registration list during the previous calendar year."

272 Section 2. (a) The board of registrars for each county,
273 or the Secretary of State if acting as the board's agent, may
274 not purge, make inactive, or otherwise remove any elector from
275 the computerized statewide voter registration list within the
276 90-day period before any regular election that occurs in the
277 state.

278 (b) For purposes of this section, "regular election"
279 means any regularly scheduled and held municipal, county, or
280 statewide election. Regarding statewide elections, the term



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281 includes primary, primary runoff, and general elections.
282 Section 3. This act shall become effective on July 1,
283 2026.