

**HB95 ENROLLED**



1 HB95  
2 HG2B766-3  
3 By Representative Lovvorn  
4 RFD: Ways and Means General Fund  
5 First Read: 13-Jan-26  
6 PFD: 17-Dec-25



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1 Enrolled, An Act,

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4 Relating to elections; to require the judge of probate  
5 of each county to conduct a post-election audit after every  
6 county and statewide general election to determine the  
7 accuracy of the originally reported results of the election.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1.(a) This section shall be known and may be  
10 cited as the Alabama Post-Election Audit Act.

11 (b) (1) Notwithstanding any other law to the contrary,  
12 the judge of probate of each county shall order a  
13 post-election audit, after every countywide and statewide  
14 general election, of all ballots in one precinct of a  
15 countywide or statewide race randomly selected by the  
16 canvassing board of each county as further provided in  
17 subdivision (2), which appeared on the ballot and which is not  
18 subject to a recount. Nothing in this section shall prohibit  
19 the judge of probate from ordering the audit of additional  
20 precincts and races. The order shall include the name of the  
21 precincts and the races to be audited. The order shall  
22 authorize the sheriff or other county authority to provide  
23 access to the ballot containers along with any other necessary  
24 election materials, including electronic data.

25 (2) The canvassing board of each county , at noon on  
26 the second Friday after any county and statewide general  
27 election, shall randomly select at least one precinct,  
28 excluding absentee and provisional ballots, and at least one



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29 statewide or countywide race to be audited by the judge of  
30 probate.

31 (3) The judge of probate, at noon on the second Friday  
32 after any county and statewide general election, shall select  
33 the date, time, and place of meeting to conduct the  
34 post-election audit and shall appoint an inspector and the  
35 appropriate number of other poll workers required to complete  
36 the audit in the same manner as for any other election. The  
37 notification and publication of these appointments shall be in  
38 the same manner as provided in Section 17-8-2, Code of Alabama  
39 1975. Compensation for poll workers shall be the same as  
40 provided in Section 17-8-12, Code of Alabama 1975.

41 (4) To begin the audit process, the voted ballot  
42 containers subject to the audit shall be delivered, unopened  
43 and still sealed in the original containers, to the inspectors  
44 in charge of the audit by the custodian of the ballot  
45 containers along with any other necessary election materials,  
46 including electronic data.

47 (5) The post-election audit shall commence no earlier  
48 than 31 days following the statewide general election or the  
49 expiration of the time period for filing an election contest,  
50 whichever is less, and shall be completed within 30 days of  
51 commencement.

52 (6) At the conclusion of the audit, the ballots shall  
53 be returned to their original containers and sealed. All other  
54 documents and materials related to the audit, including, but  
55 not limited to, inspector and poll worker oaths, poll watcher  
56 oaths, seals and testing materials for any tabulator used in



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57 the audit, and copies of orders of the probate court related  
58 to the audit shall be placed in a separate container labeled  
59 "Record of Audit." The inspector and other poll workers shall  
60 sign the containers and return them to the appropriate  
61 authority for storage with other records related to the  
62 audited election. The judge of probate shall report the  
63 findings to the Secretary of State, who shall make all results  
64 from the post-election audit public by posting the results on  
65 the official website of the Secretary of State.

66 (7) The post-election audit report shall include all of  
67 the following:

68 a. A description of any problems or discrepancies  
69 encountered.

70 b. A description of the likely cause of any problems or  
71 discrepancies encountered.

72 c. Recommendations for corrective or remedial actions.

73 (8) The Secretary of State shall report all findings of  
74 the post-election audit to the Governor and the Legislature  
75 within 30 days of receipt of the audits.

76 (9) Poll watchers shall attend and observe the  
77 post-election audit in the same manner as for any other  
78 election, and appointments shall be made in the same manner as  
79 any general election. The judge of probate shall give notice  
80 to the public of the date, time, and location of the audit by  
81 publication in a newspaper of general circulation in the  
82 county or on the county's official website. Accredited members  
83 of the media shall be permitted to be present and observe the  
84 audit being performed.



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85           (10) The judge of probate may conduct the post-election  
86 audit by manual tally or by use of ballot counters, provided  
87 that at least 30 randomly selected ballots are individually,  
88 manually examined and compared to the ballot counter result  
89 for each selected ballot.

90           (c) All expenses incurred by any county as a result of  
91 the audit shall be reimbursed in full by the Comptroller.

92           (d) The Secretary of State may adopt rules and  
93 prescribe forms to implement this section.

94           Section 2. This act shall become effective immediately.



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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 15-Jan-26, as amended.

John Treadwell  
Clerk

Senate	<hr/> <b>31-Mar-26</b> <hr/>	Amended and Passed
House	<hr/>	Concurred in Senate Amendment