

HB1 INTRODUCED



1 HB1
2 JP3T1FF-1
3 By Representative Pringle
4 RFD: Ways and Means General Fund
5 First Read: 04-May-26



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SYNOPSIS:

Under existing law, the 2026 primary election for offices other than municipal offices is set to occur in May on the Tuesday preceding Memorial Day.

Also under existing law, a special primary election may be called by the Governor or as provided by law.

This bill would authorize a new special primary election to be held if: (i) a federal court issues an order or vacates an injunction thereby allowing the Legislature to use a previously enacted legislative Congressional redistricting plan in the 2026 General Election, and (ii) the court ruling is made at a time that is too late to be accommodated during the normal primary election schedule but would allow a new special primary election to be held in a manner that does not affect the 2026 General Election date set in November of 2026.

This bill would require the Governor to call a special primary election for the affected Congressional districts if the special primary election may be in a specified time frame without violating certain laws and would authorize the Governor to modify certain deadlines specified in state law with regard to elections.



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29 This bill would provide that the candidate who
30 receives the highest vote count in the special primary
31 election is considered the party nominee for purposes
32 of the general election and would eliminate the need
33 for a primary runoff election.

34 This bill would specify that the special primary
35 election would only affect those Congressional
36 districts impacted.

37 This bill would provide further for the
38 qualification of affected candidates.

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A BILL

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TO BE ENTITLED

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AN ACT

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45 Relating to primary elections; to authorize a new
46 special primary election for Congressional districts affected
47 by a federal court ruling under certain circumstances; to
48 require the Governor to call a special primary election for
49 affected Congressional districts under certain conditions and
50 to set an election calendar; and to provide further for the
51 qualification of affected candidates.

52 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

53 Section 1. (a) It is the intent of the Legislature that
54 a special primary election, as contemplated in this section,
55 be held only in the event a federal court issues or vacates an
56 order affecting the boundaries of Congressional districts in a



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57 time frame that allows for a supplemental special primary
58 election during the 2026 General Election cycle.

59 (b) In the event: (i) a federal court, by issuing a
60 judgment or by vacating an injunction, permits the
61 reinstatement of the last legislatively enacted Congressional
62 districts, as enacted by Act 2023-563 of the 2023 Second
63 Special Session, to be used in the 2026 General Election, and
64 (ii) the court ruling is made at a time too late to be
65 accommodated during the normal 2026 primary election schedule
66 held or to be held in accordance with Chapter 13 of Title 17,
67 Code of Alabama 1975, the state shall hold a new special
68 primary election for the affected Congressional Districts in
69 accordance with this section, so long as certification of the
70 special primary election can be completed by August 26, 2026.

71 (c) (1) Upon a federal court making a ruling described
72 in subsection (b), the Governor shall issue a proclamation
73 calling for a special primary election to be held as soon as
74 possible for the affected Congressional districts, consistent
75 with subsection (b). Notwithstanding any state law to the
76 contrary, the Governor shall set a calendar for the election
77 as required to effectuate the purposes of this section,
78 provided the dates specified in the election calendar do not
79 violate federal law. A special primary election held pursuant
80 to this section shall be required for the affected
81 Congressional districts regardless of whether a regular
82 primary election was held for the affected Congressional
83 districts using the previous boundary lines.

84 (2) Notwithstanding any state law to the contrary, the



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85 candidate who receives the greatest number of votes at the
86 special primary election shall be deemed the winner and party
87 nominee of that primary election, and no primary runoff
88 election shall be held.

89 (d) No candidate shall be deemed the party nominee of a
90 political party for an affected Congressional office based
91 solely on the results of the regular primary election if a new
92 special primary election is held pursuant to this section. Any
93 official certification of results of the regular primary
94 election for an affected Congressional office is void for
95 purposes of determining the party nominee once a new special
96 primary election is required under this section. However, a
97 candidate who was eligible and qualified for the regular
98 primary election for an affected Congressional district office
99 shall remain eligible to appear on the ballot for the new
100 special primary election, subject to laws and party rules not
101 inconsistent with Chapter 13 of Title 17, Code of Alabama
102 1975. The certification of a nominee for an affected office
103 shall be based solely on the results of the new special
104 primary election conducted under this section.

105 (e) (1) Nothing in this section prohibits a party from
106 choosing its candidates by any means allowed by law other than
107 by primary election.

108 (2) Nothing in this section shall alter the timing of
109 regular primary elections when no change in district
110 boundaries has occurred as described in subsection (b).

111 (3) Nothing in this section shall be construed to alter
112 the date scheduled for the 2026 General Election.



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113 Section 2. This act shall become effective immediately.