

SB1 ENROLLED



1 SB1

2 CX8G5JQ-2

3 By Senator Elliott

4 RFD: Fiscal Responsibility and Economic Development

5 First Read: 04-May-26



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1 Enrolled, An Act,

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4 Relating to primary elections; to authorize a new
5 special primary election for State Senate districts affected
6 by a federal court ruling under certain circumstances; to
7 require the Governor to call a special primary election for
8 affected State Senate districts under certain conditions and
9 to set an election calendar; and to provide further for the
10 qualification of affected candidates.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. (a) It is the intent of the Legislature that
13 a special primary election, as contemplated in this section,
14 be held only in the event a federal court issues or vacates an
15 order affecting the boundaries of State Senate districts in a
16 time frame that allows for a supplemental special primary
17 election during the 2026 General Election cycle.

18 (b) In the event: (i) a federal court, by issuing a
19 judgment or by vacating an injunction, permits the
20 reinstatement of the last legislatively enacted State Senate
21 districts, as enacted by Act 2021-558 of the 2021 Second
22 Special Session, to be used in the 2026 General Election, and
23 (ii) the court ruling is made at a time too late to be
24 accommodated during the normal 2026 primary election schedule
25 held or to be held in accordance with Chapter 13 of Title 17,
26 Code of Alabama 1975, the state shall hold a new special
27 primary election for the affected State Senate Districts in
28 accordance with this section, so long as certification of the



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29 special primary election can be completed by August 26, 2026.

30 (c) (1) Upon a federal court making a ruling described
31 in subsection (b), the Governor shall issue a proclamation
32 calling for a special primary election to be held as soon as
33 possible for the affected State Senate districts, consistent
34 with subsection (b). Notwithstanding any state law to the
35 contrary, the Governor shall set a calendar for the election
36 as required to effectuate the purposes of this section,
37 provided the dates specified in the election calendar do not
38 violate federal law. A special primary election held pursuant
39 to this section shall be required for the affected State
40 Senate districts regardless of whether a regular primary
41 election was held for the affected State Senate districts
42 using the previous boundary lines.

43 (2) Notwithstanding any state law to the contrary, the
44 candidate who receives the greatest number of votes at the
45 special primary election shall be deemed the winner and party
46 nominee of that primary election, and no primary runoff
47 election shall be held.

48 (d) No candidate shall be deemed the party nominee of a
49 political party for an affected State Senate office based
50 solely on the results of the regular primary election if a new
51 special primary election is held pursuant to this section. Any
52 official certification of results of the regular primary
53 election for an affected State Senate office is void for
54 purposes of determining the party nominee once a new special
55 primary election is required under this section. However, a
56 candidate who was eligible and qualified for the regular



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57 primary election for an affected State Senate district office
58 shall remain eligible to appear on the ballot for the new
59 special primary election, subject to laws and party rules not
60 inconsistent with Chapter 13 of Title 17, Code of Alabama
61 1975. The certification of a nominee for an affected office
62 shall be based solely on the results of the new special
63 primary election conducted under this section.

64 (e) (1) Notwithstanding any law to the contrary, a
65 political party may choose its candidates by any means allowed
66 by law other than by primary election so long as the party
67 certifies its nominees to the Secretary of State no later than
68 August 26, 2026.

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

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

74 Section 2. This act shall become effective immediately.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB1
Senate 06-May-26
I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 08-May-26

By: Senator Elliott