

SB324 ENROLLED



1 SB324
2 WCJZ5E9-2
3 By Senators Coleman, Figures, Singleton, Smitherman,
4 Coleman-Madison, Hatcher, Stewart, Beasley
5 RFD: Judiciary
6 First Read: 11-Apr-24



SB324 Enrolled

1 Enrolled, An Act,

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4 Relating to elections; to amend Sections 17-6-21,
5 17-9-3, 17-13-22, and 17-14-31, Code of Alabama 1975; to
6 revise deadlines to qualify for a general election to
7 accommodate national political party conventions.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. Sections 17-6-21, 17-9-3, 17-13-22, and
10 17-14-31, Code of Alabama 1975, are amended to read as
11 follows:

12 "§17-6-21

13 (a) The official ballots shall contain the names of all
14 candidates nominated by caucus, convention, mass meeting,
15 primary election, or other assembly of any political party or
16 faction, or by petition of electors and certified as provided
17 in Section 17-9-3, but no person's name shall be printed upon
18 the ballots who, within the time period set forth in
19 subsection (c), notifies the judge of probate in writing,
20 acknowledged before an officer authorized by law to take
21 acknowledgments, that he or she will not accept the nomination
22 specified in the certificate of nomination or petition of
23 electors. The name of each candidate shall appear but one time
24 on the ballot and under only one emblem.

25 (b) A nomination for a candidate in a primary or
26 general election shall be finalized by the respective state
27 executive committees not later than ~~76~~71 days before the
28 primary or general election. Any amendment to a certification



SB324 Enrolled

29 of a candidate by a state executive committee shall be filed
30 with the judge of probate in the case of a county office, or
31 the Secretary of State in the case of a state or federal
32 office. Any amendment filed after the ~~76th~~71st day before a
33 primary or a general election shall be accepted by the judge
34 of probate or the Secretary of State but shall not be cause
35 for reprinting of the ballots. The name of a candidate who is
36 the subject of the amendment and who is disqualified by a
37 political party or who has withdrawn as a candidate shall
38 remain on the ballot, not be replaced by the name of another
39 candidate, and the appropriate canvassing board shall not
40 certify any votes for the candidate. Any amendment to a
41 certification to correct the spelling of the name of a
42 candidate that is filed after the ~~76th~~71st day before a
43 primary or general election, or after the printing of absentee
44 ballots for a primary runoff election has commenced, shall not
45 be cause for reprinting of the ballots and shall not affect
46 the counting or certification of any votes cast for the
47 candidate.

48 (c) The notification deadline for persons who do not
49 wish to accept nomination in a primary election is ~~76~~71 days
50 before the date of the election. A person who does not wish to
51 accept nomination in a second primary election shall submit
52 the notification set forth in subsection (a) before the
53 printing of absentee ballots. The notification deadline for
54 persons who do not wish to accept nomination in a general
55 election is ~~76~~71 days before the date of the election. In the
56 event that a candidate submits a notification of withdrawal



SB324 Enrolled

57 after the applicable deadline, the name of the candidate shall
58 remain on the ballot and the appropriate canvassing board may
59 not certify any votes for the candidate."

60 "§17-9-3

61 (a) The following persons shall be entitled to have
62 their names printed on the appropriate ballot for the general
63 election, provided they are otherwise qualified for the office
64 they seek:

65 (1) All candidates who have been put in nomination by
66 primary election and certified in writing by the chair and
67 secretary of the canvassing board of the party holding the
68 primary and filed with the judge of probate of the county, in
69 the case of a candidate for county office, and the Secretary
70 of State in all other cases, on the day next following the
71 last day for contesting the primary election for that office
72 if no contest is filed. If a contest is filed, then the
73 certificate for the contested office must be filed on the day
74 next following the date of settlement or decision of the
75 contest.

76 (2) All candidates who have been put in nomination by
77 any caucus, convention, mass meeting, or other assembly of any
78 political party or faction and certified in writing by the
79 chair and secretary of the nominating caucus, convention, mass
80 meeting, or assembly and filed with the judge of probate, in
81 the case of a candidate for county office, and the Secretary
82 of State in all other cases, on or before 5:00 ~~P.M.~~p.m. on the
83 date of the first primary election as provided for in Section
84 17-13-3.



SB324 Enrolled

85 (3) Each candidate who has been requested to be an
86 independent candidate for a specified office by written
87 petition signed by electors qualified to vote in the election
88 to fill the office when the petition has been filed with the
89 judge of probate, in the case of a county office and with the
90 Secretary of State in all other cases, on or before 5:00
91 P.M.p.m. on the date of the first primary election as provided
92 for in Section 17-13-3. The number of qualified electors
93 signing the petition shall equal or exceed three percent of
94 the qualified electors who cast ballots for the ~~office~~Office
95 of Governor in the last general election for the state,
96 county, district, or other political subdivision in which the
97 candidate seeks to qualify.

98 (b) The Secretary of State, not later than 7469 days
99 before the general election, shall certify to the judge of
100 probate of each county in the state, in the case of an officer
101 to be voted for by the electors of the whole state, and to the
102 judges of probate of the counties composing the circuit or
103 district in the case of an officer to be voted for by the
104 electors of a circuit or district, upon suitable blanks to be
105 prepared by him or her for that purpose, the fact of
106 nomination or independent candidacy of each nominee or
107 independent candidate or candidate of a party who did not
108 receive more than 20 percent of the entire vote cast in the
109 last general election preceding the primary who has qualified
110 to appear on the general election ballot. The judge of probate
111 shall then prepare the ballot with the names of each candidate
112 qualified under the provisions of this section printed on the



SB324 Enrolled

113 ballot. The judge of probate may not print on the ballot the
114 name of any independent candidate who was a candidate in the
115 primary election of that year and the name of any nominee of a
116 political party who was a candidate for the nomination of a
117 different political party in the primary election of that
118 year."

119 "§17-13-22

120 The Secretary of State shall, not later than 7469 days
121 before the general election, certify to the judge of probate
122 of each county in the state a separate list of nominees of
123 each party for office and for each candidate who has requested
124 to be an independent candidate and has filed a written
125 petition in accordance with Section 17-9-3, except nominees
126 for county offices, to be voted for by the voters of such
127 county."

128 "§17-14-31

129 (a) When presidential electors are to be chosen, the
130 Secretary of State of Alabama shall certify to the judges of
131 probate of the several counties the names of all candidates
132 for President and Vice President who are nominated by any
133 national convention or other like assembly of any political
134 party or by written petition signed by at least 5,000
135 qualified voters of this state.

136 (b) The certificate of nomination by a political party
137 convention must be signed by the presiding officer and
138 secretary of the convention and by the chair of the state
139 executive or central committee of the political party making
140 the nomination. Any nominating petition, to be valid, must



SB324 Enrolled

141 contain the signatures as well as the addresses of the
142 petitioners. Such certificates and petitions must be filed in
143 the ~~office~~ Office of the Secretary of State no later than ~~the~~
144 ~~82nd day next preceding the day fixed for~~ 74 days before the
145 date of the election.

146 (c) Each certificate of nomination and nominating
147 petition must be accompanied by a list of the names and
148 addresses of persons, who shall be qualified voters of this
149 state, equal in number to the number of presidential electors
150 to be chosen. Each person so listed shall execute the
151 following statement which shall be attached to the certificate
152 or petition when the same is filed with the Secretary of
153 State: "I do hereby consent and do hereby agree to serve as
154 elector for President and Vice President of the United States,
155 if elected to that position, and do hereby agree that, if so
156 elected, I shall cast my ballot as such elector for _____ for
157 President and _____ for Vice President of the United States"
158 (inserting in the blank spaces the respective names of the
159 persons named as nominees for the respective offices in the
160 certificate to which this statement is attached)."

161 Section 2. This act shall become effective immediately.



SB324 Enrolled

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB324

Senate 23-Apr-24

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,
Secretary.

House of Representatives

Passed: 02-May-24

By: Senator Coleman